

The History of the Council of Trent. the Pillar and Base of Truth, and which has detested these Fictions, invented by these impious Persons, as Fictions of Satan, preserving the Memory and Acknowledgment which it owes of that excellent Benefit which it has received from Jesus Christ.

Chap. II. Our Saviour therefore being upon the point to leave the World, to go to his Father, instituted this Sacrament, in which he diffused (as one may say) the richest of his Love towards Mankind; leaving them a Memorial of the admirable things which he did in their behalf, and commanded us to honour his Memory in receiving it, and to shew forth his Death, till he shall come himself to judge the World. He willed also, that this Sacrament should be received as the spiritual Nourishment of our Souls, that may be nourished and strengthened by living the Life of him that said, *He that eateth me, even he shall live by me*; and as an Antidote, to deliver us from our daily Faults, and to preserve us from mortal Sin. He was willing also that it should be a Pledge of Glory to come, and of eternal Felicity, and a Symbol of the Unity of that Body of which he himself is the Head, to which he would have us straightly united as Members by the Bond of Faith, Hope, and Charity, that we may all be of one Mind, and that there may be no Schism amongst us.

Chap. III. The Eucharist has this in common with other Sacraments, that it is a Symbol of something holy, and a visible Form of an invisible Grace; but this it has excellent and peculiar to its self, that whereas other Sacraments have the Vertue of sanctifying only when they are received, in the Eucharist the Author of Holiness is in it before the Use: For the Apostles had not yet received the Eucharist from the Hand of the Lord, when he assured them that what he gave them was his own Body. And it has always been believed in the Church of God, that immediately after Consecration, the true Body and the true Blood of Jesus Christ, with his Soul and his Divinity, exist under the Species of Bread and Wine; that his Body really exists under the Species of Bread, and his Blood under the Species of Wine, by the strength of those Words: But then this same Body exists also under the Species of Wine, and this Blood under those of Bread, by vertue of this natural Connexion and Concomitance, by which these Parts in our Lord, who is raised from the Dead, and who shall die no more, are joined to one another, and the Divinity likewise, because of this marvelous hypostatical Union with his Body and Soul. Therefore it is truly said, that the Whole is as much under either Species, as under both together: For he is entire under the Species of Bread, and under any part whatsoever of that Species; and so likewise under the Species of Wine, and under all its parts.

Chap. IV. Because Jesus Christ our Redeemer has said, that what he offered under the Species of Bread was truly his Body; it has always been believ'd in the Church, and the holy Council does now anew declare it, that by the Consecration of Bread and Wine, there is made a change of the whole Substance of the Bread into the Substance of the Body of our Lord Jesus Christ, and of the whole Substance of the Wine into the Substance of his Blood; and this Change has been called *Transubstantiation* by the Catholick Church, which is a proper and agreeable Name for it.

Chap. V. After what has been said, there is no question but all the Faithful, according to the Custom which has always been received in the Catholick Church, are obliged to pay to the holy Sacrament the Worship which is called *Latria*, which is due to the true God: For it is not the less worthy of our Adoration, because it was instituted by Jesus Christ to be taken and eaten; because there we believe the same God is present, of whom the eternal Father said, when he brought him into the World, *Let all the Angels of God worship him*: It is the same God whom the *Magi* worshipped, prostrating them-

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selves down to the Earth; and lastly, the same whom the Apostles, as the Scripture says, worshipped in *Galilee*. The holy Council declares moreover, that it is a Custom which has been most piously and religiously established in the Church with a singular Veneration and Solemnity, to celebrate every year, upon certain days, this great and adorable Sacrament, and to carry it in Procession in Streets and publick places, with Reverence to do it Honour: For it is very just, that there should be some Festival Days appointed, in which Christians might by some singular and extraordinary Demonstration shew their Acknowledgement to their common Saviour and Redeemer, for so unspeakable and divine a Benefit, which represents to us his Victory and Triumph over Death; it was necessary also that victorious Truth should triumph over Heresie and Lying, that its Enemies, at the sight of so great Splendor, and in the midst of so great Joy of the universal Church, may feel themselves weakened and sunk, and so may either pine away with vexation, or may repent at last thro' shame and confusion.

Chap. VI. The holy Council ordains, that the ancient Custom which has been observ'd in the Church from the Age of the Council of *Nice*, of keeping the Holy Eucharist in a consecrated Vessel, shall be retained; as also that of carrying it to the Sick; which is recommended by several Canons, as agreeable to Reason and Equity, ordained in several Councils, and observed anciently in the Church.

Chap. VII. If it is not decent to perform any sacred Offices without a holy Disposition; and the more a Christian knows how holy and divine this Sacrament is, the more he ought to take care not to draw near to receive it, without great Respect and Holiness, especially having a regard to those dreadful Words of the Apostle, *Whosoever eats and drinks unworthily, eats and drinks his own Damnation, not discerning the Lord's Body*: Therefore it is of great importance to him that communicates to call to mind that Precept, *Let every one examine himself*. Now the Custom of the Church shews, that this necessary Examination consists in this, that every Christian who feels himself to be guilty of any mortal Sin, what Contrition soever he may think he has, ought not to draw near to the holy Eucharist without sacramental Confession, which the holy Council ordains shall be always practised by all Christians, and even by Priests, who are under an obligation to celebrate by the Duty of their Employment, unless they cannot get a Confessor; and if thro' urgent Necessity a Priest celebrates without first confessing, he ought not to fail to do it as soon as he can.

Chap. VIII. As to the Use of this most holy Sacrament, our Fathers have very well and wisely distinguished three ways of receiving it: For they have taught, that some receive it only sacramentally, and they are Sinners; some only spiritually, namely those who eating this heavenly Bread which is set before them with a holy Desire, feel the fruit and advantage of it by a lively Faith which worketh by Love; and some both spiritually and sacramentally, namely the Faithful, who so examine and prepare themselves, that they are clothed with the Wedding-garment when they approach this divine Table to receive the Sacrament. It has always been the Custom in the Church, that Laymen should receive the Communion from the Hands of Priests, and that the Priests when they celebrate should give it to themselves; and this Custom ought to be preserved with Justice and Reason. Lastly, the Council exhorts, prays, and conjures all Christians unanimously to embrace and believe this Doctrine; but because it is not sufficient to explain the Truth, unless we also discover and reject what is erroneous, the Council thought it adviseable to add these following Canons.

I. If any one says, that the Body and Blood of our Lord Jesus Christ with his Soul and his Divinity, and consequently the whole Jesus Christ entire,

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is not contained truly, really and substantially in the holy Sacrament of the Eucharist; but says that it is there as in a Sign, or in a Figure, or virtually: Let him be *Anathema*.

II. If any one says, that in the Sacrament of the Eucharist the Substance of Bread and Wine remains together with the Body and Blood of our Lord Jesus Christ, and denies this admirable Change of the whole Substance of the Bread into the Body, and of the whole Substance of the Wine into the Blood of Jesus Christ, the Species only of the Bread and Wine remaining, which Change the Church very properly calls *Transubstantiation*: Let him be *Anathema*.

III. If any one denies that the Body of J. Christ is entirely contained in the Sacrament of the Eucharist under either Species, and after separation under every part of these Species: Let him be *Anathema*.

IV. If any one says, that after the Consecration, the Body and Blood of our Lord Jesus Christ are not in the Sacrament of the Eucharist; but that they are there only in the Use, while 'tis received, and not before or after; and that in the *Hofis*, or consecrated Parcels which are reserved or remain after Communion, the true Body of our Lord doth not remain: Let him be *Anathema*.

V. If any one says, either that the principal Fruit of the Eucharist is Remission of Sins, or that it does not produce other Effects: Let him be *Anathema*.

VI. If any one says, that Jesus Christ ought not to be adored in the Sacrament of the Altar with the Worship of *Latria*, even outwardly; and that consequently it ought not to be honoured with a solemn and particular Feast, nor be carried about with Solemnity in Processions, according to the laudable Practice and Custom received in the universal Church, nor exposed publicly to the People, to be adored: Let him be *Anathema*.

VII. If any one says, that it is not permitted to keep the holy Eucharist in a Shrine, but that after Consecration it ought to be distributed to the Communicants; and besides, that it is not permitted to carry it with Honour to the Sick: Let him be *Anathema*.

VIII. If any one says, that Jesus Christ, who is present in the Eucharist, is only spiritually eaten, and not really and sacramentally: Let him be *Anathema*.

IX. If any one says, that all and every of the Faithful of both Sexes are not obliged, according to the Precept of the Church, as soon as they arrive at the Years of Discretion, to communicate at *Easter*: Let him be *Anathema*.

X. If any one says, that it is not lawful for a Priest, when he celebrates, to give the Eucharist [only] to himself: Let him be *Anathema*.

XI. If any one says, that Faith alone is a sufficient Preparation to hinder the unworthy Reception of this great Sacrament: Let him be *Anathema*. And that this Sacrament may not be received unworthily to Death and Condemnation, the holy Council ordains and declares, that those who feel their Consciences laden with any deadly Sin, even tho' they are contrite, are necessarily obliged, if they can get a Confessor, to confess sacramentally first. If any one shall be so rash as to teach or preach the contrary, or obstinately to defend it, or maintain it in publick Disputations: Let him be excommunicated.

People that are under them, and keep them within the bounds of a regular Life; thinks it proper to advise them, in the first place to remember, that they are appointed to feed their Flocks, and not to abule them; and to carry themselves so towards their Inferiors, that their Superiority may not degenerate into an uneasy Domination, but to love them and cherish them as their Sons and their Brethren, and to do their utmost endeavours to turn them away from evil by their Exhortations and Advices, that they may not be obliged to punish them as they might deserve, if they should commit any faults thro' human Frailty: For then it is the duty of Bishops to observe that Precept of the Apostle, *To reprove, to beseech, to exhort with all Mildness and Patience*; an Air of Mildness going farther towards Correction, than Severity; Exhortation farther than Threatning; and Charity farther than Force: But if the greatness of the fault be such, that it deserves Chastisement, then Rigor ought to be tempered by Sweetness, Justice by Mercy, and Severity by Goodness, that the People may be kept under an useful and necessary Discipline, without shewing too much Roughness; that to those that shall be punished may amend, or, if they will not, that others at least may be turned away from Vice, by the wholesome Example of that Punishment: It being the duty of a Pastor that is both exact and charitable, to make use, when he would cure his Sheep, of mild and gentle Remedies at first, and afterwards to have recourse to stronger and more violent, if the greatness of the Disease requires it; and if even these prove ineffectual, then by a separation the other Sheep ought to be preserved from the peril of the Contagion.

Those that are accused of criminal Matters, that they may avoid Punishment as long as they can, and withdraw themselves from the Judgments of their Bishops, pretend Complaints and Grievances; and by their Appeals which they throw in, hinder the course of ordinary Proceedings: Now, that a Remedy which was found out for the defence of Innocence, may not be abused to defend their Iniquity; and to obviate Tricks and Subterfuges; the holy Council declares and orders as follows.

In Causes relating to Visitation and Correction, Capacity or Incapacity, as also in criminal Causes, no Appeal shall be made from an *Interlocutory Sentence* (k), nor from any Grievance, before the definitive Sentence be given by the Bishop, or his Vicar-general in Spirituals. The Bishop and his Vicar-general shall not be obliged to allow such an Appeal, which ought to be look'd upon as frivolous; but they may go on, notwithstanding any Prohibition which may be issued out by the Judge, before whom the Appellant goes, and notwithstanding any immemorial Usage or Custom to the contrary, unless the Grievance is such as cannot be repaired by a definitive Sentence, or that no Appeal can lye against the definitive Sentence; in which cases, the Decrees of the ancient Canons shall remain entire.

Chap. II. Appeals from the Sentence of a Bishop, or his Vicar-general in Spirituals, in criminal Causes, when there shall be room for an Appeal, if they are such as are committed to Judges upon the place, by the authority of the holy Sec, shall be carried before the Metropolitan or his Vicar-general: Or if the Metropolitan be for any Cause suspected, or if he be above two Days Journey off, according to the Rules of the Canon-law, or if the Appeal be made from him, the Causes shall be carried before some of the nearest Bishops, or their Vicar-generals, but never before inferior Judges.

Chap. III. He that appeals in a criminal Cause, from the Sentence of a Bishop, or his Vicar-general, shall be obliged to produce before the Judge, to whom he appeals, the *Acts of the first Instance* (l): of

The Decree of Reformation contains several Regulations divided into eight Chapters, of which the Summary follows.

Chap. I. The holy Council intending to make some Regulations concerning the Jurisdiction of Bishops, that so according to the Decree of the last Session they may be the more willing to reside in the Churches committed to their charge, by how much they can with the more ease and convenience govern the

[(k) An *Interlocutory Sentence*, is a Sentence passed upon some secondary Matters, in any Cause, which do not affect the principal Questions in debate.]

[(l) i. e. All the Proceedings which had passed already in the Court, from which the Appeal is made.]

And the Judge ought by no means to proceed to Absolution, till he has seen them; and then he, from whose Judgment the Appeal is made, ought to give Copies of these Acts within a Month, from the day in which the demand is made, gratis; otherwise the Cause of the Appeal shall be determined without those Acts, as Justice shall require.

Chap. IV. Since Churchmen sometimes fall into such enormous Crimes, that, by reason of their Enormity, there is a necessity to degrade the Criminals from holy Orders, and to deliver them up to the secular Arm; and since it is necessary, according to the Canons for that Ceremony, that such a number of Bishops should assist at the Sentence; and that the difficulty of getting so many together, may retard the execution of Justice; and that if they could be got together, yet still this must necessarily interrupt their Residence: The holy Council ordains and declares, that a Bishop may proceed by himself, or his Vicar-general, against a Clerk in holy Orders, even in Priests Orders, as far as Condemnation and verbal Deposition; and he may by himself, without the Assistance of other Bishops, proceed to actual and solemn Degradation of the said Criminal from his ecclesiastical Orders and Degrees, in Cases wherein the Presence of a certain number of Bishops is requisite, according to the Canons; calling however a like number of Abbots, who, by apostolical Privilege, have a right to a Cross and Mitre, in to his Assistance, if such can conveniently be found in the Place, or in the Diocess, and can be got together; otherwise, in default of them, they shall take such Dignitaries in the Church, as have Age, Gravity, and Skill in the Knowledge of the Law, to recommend them.

Chap. V. And because it sometimes happens, that Persons, under false Pretences, which however appear very probable, obtain Graces and Dispensations by surprize, for the entire pardon or abatement of the Punishments, to which they had been condemned by the just Severity of their Bishops; since it ought not to be suffered, that a Lye, which is so displeasing to God, should not only go unpunished, but should also assist him that tells it, in the obtaining pardon for another Crime: The Council ordains and declares, that the Bishop that resides in his Church, shall, by himself, as a Delegate of the holy See, take summary cognizance of *Subreptions* and *Obreptions* (m) of Graces, obtained by false Petitions, for Absolution of any publick Crime or Excess, wherein he began the Information himself; or for Pardon of that for which he himself had condemned the Criminal; and that he shall not admit these Graces, when he shall certainly know that they have been obtained upon false Declarations, or Concealments of the Truth.

Chap. VI. And because those that have been justly punished by the Bishop to whom they are subject, hate him, and keep great Resentments against him, as if he had punish'd them wrongfully; so that they endeavour by all manner of ways to give him Trouble, by laying false Crimes to his Charge; whence it happens, that fear of these sort of Vexations makes Prelates more negligent in searching for, and punishing of Crimes: The Holy Council, that Bishops may not forsake to their own Disadvantage and that of the Church, the Flock that is entrusted with them, and be obliged to run from one place to another, and thereby dishonour and debase the Episcopal Dignity; ordains, that a Bishop shall not be cited, nor summoned to appear personally, except in Causes of Deposition or Deprivation of his Function, although the Proceeding against him be *ex Officio*, or by way of Information, Denunciation, or Accusation, or any other manner whatsoever.

Chap. VII. No Witnesses shall be received in Criminal Matters against a Bishop, either as to Informations, Accusations, or any other proceedings

in the Principal Cause, unless they agree in their Depositions, and be of a good Life and Reputation: If it be found that they have deposed any thing for Hatred, Rashness, and Interest, they shall be severely punish'd.

Chap. VIII. Episcopal Causes, when the Quality of the Crime whereof Bishops are accused is such, that they are obliged to appear in Person, ought to be carried before the Pope, and ended by him.

Then the Decree, by which the four remaining Articles concerning the Euchraist were remitted to the next Session, was read; and the Form of the safe Conduct which was granted to the Protestants. They both follow.

The Holy Council desiring to provide for the Salvation of all the Faithful, by rooting out of the Field of the Lord all those Errors which are so many ways multiplied in the Matter of the most Holy Sacrament; after having determined several Articles relating to this Sacrament, which have been examin'd by a very exact Search after Catholick Truth, those Matters having been carefully discussed in several Conferences, after having taken the Advices of the most able Divines; would also have decided these following Articles, namely: Whether it is necessary to Salvation, and be commanded of Divine Right, that all Christian People receive this venerable Sacrament under both kinds? whether he that communicates only under one, receives less than he that communicates under both? whether the Church has erred in giving the Communion to the Laity only under the Species of Bread, and to Priests when they do not celebrate? and, whether the Communion ought to be given to Infants? but because the Germans, that call themselves Protestants, desire to be heard upon these very Articles before they are decided, and have for that purpose demanded a publick Assurance from the Council, that they may come with all Security to Trent, and stay there, and freely propose their Opinions in the presence of the Council, and return again when they please; the Holy Council, though it had staid for them already several Months, yet out of its earnest desire that among those that are called Christians there may be no Schisms nor Divisions; and that whereas they all own the same God, and the same Redeemer, all also may agree in the same Doctrine, the same Belief, and the same Opinions, trusting in the Mercy of God, and hoping that they shall all be reunited in the most holy and salutary Profession of the same Faith, the same Hope, and the same Charity; with this view, willingly condescending to their desire, has given and granted, as far as it lies in its Power, the Faith and publick Assurance which they demand, which they call a safe Conduct, in the form and tenor hereafter mention'd; and has deferred in their Favour the Decision of the said Articles to the second following Session, which shall be held January 25. next ensuing, being the Feast of the Conversion of St. Paul, that they may be conveniently there: And declares moreover, that in that Session, it will treat of the Sacrifice of the Mass, because of the great Connection between those Subjects; and in the next Session, which shall be held November 25. (St. Catherine's Day) it will treat of the Sacrament of Penance, and of that of extream Unction; and that in both Sessions the Business of Reformation shall be continued.

The Holy Council grants, as far as it is in its Power, to all in general, and to every man in particular, whether Ecclesiastical or Secular, throughout the whole extent of Germany, of what Rank, Estate, Condition and Quality soever they be, that will come to this Council, full Security, and publick Assurance, which they call safe Conduct, with all and every necessary and convenient Clauses

[(Subreption, is when any thing is added to the Truth: Obreption, when any part of the Truth is suppressed.)

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Number of Judges in Causes relating to the Clergy.

Graces obtained by subreption or obreption.

In what cases a Bishop may be cited personally.

Qualities of Witnesses against Bishops.

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Weighty Causes of Bishops referred to the Pope.

Decree to remit the Decision of 4 Articles concerning the Euchraist.

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and Conditions, though they ought to have been exprest in particular, and not in general Terms; willing that they should be looked upon as exprest, that they may confer with all freedom of those things which ought to be treated of in the Council, and come thither with all Security, and stay there, and propose, either by Word of Mouth or Writing, as many Articles as they please, and confer or dispute with the Fathers, or with those who shall be nominated by the Council, but all without injurious or reflecting Words; and lastly, to retire when they shall think good. The holy Council will also, that if, for their greater Liberty and security they desire to have any Judge deput- ed for Crimes which they shall have committed, or may commit, that they shall name and choose them themselves among those whom they shall judge favourable to them, though the Crimes should be very, enormous and should favor of Heresy.

Councils Answer to Amyot.

Then the Powers which *Joachim* Elector of *Brandenbourg* had given to *Christopher Strassen* a Lawyer, and to *John Hofman*, whom he had sent as his Ambassadors to the Council, thereby to engage the Pope to give to his Son *Frederic* the dispensations which he wanted for the Archbishoprick of *Magdeburg* and the Bishoprick of *Halberstadt*, to which he had been chosen, were read. In these Powers he calls the Pope most holy Father and Lord, and Sovereign Pontiff, by the Mercy of God, over the Roman Catholick Church: And in the long discourse which *Strassen* made to shew the good Will and Respect of the Elector his Master towards the Fathers of the Council, but without explaining his Sentiments of Religion, he often used these fine Titles in Honour of the Pope. The promoter of the Council answer'd *Strassen*, in the Name of the Fathers of the Council, that they were very well pleased to hear him, that nothing had given them more Joy, than the promise he had made, in the Name of the Elector his Master, to observe the Decrees of the Council; and so much the more, because they hoped he would religiously perform his word.

Then the Fathers, according to the Appointment made to the Abbot *Amyot* to receive their Answer to his Master's Protestation, order'd the Ser-

jeant to ask at the Door, if there was any one there on the behalf of the most Christian King. But no body appearing, since *Amyot* thought it was not proper to appear, lest he should be obliged to enter into a Dispute when he received the Answer, which the Pope and *Spaniards* drew up and drest after their Fashion; the promoter moved, that the Answer might be publicly read; which was immediately done, with the President's leave. The Substance of it is this. 'The Holy Council, having flatter'd it self, that it was favoured by his most Christian Majesty, heard his Envoy's Declaration with extream Uneasiness: However it still had hopes of his Majesty, to whom it did not think it had given any Cause of Offence: That his complaint that the Council was held for the private Advan- tage of some particular Persons, could not fall up- on the Council, which had not only been assem- bled by Pope *Julius III.* but also by his Prede- cessor, to extirpate Heresies, and to reform Dis- cipline for the good of Christendom: And there- fore it pray'd his Majesty, to send the Bishops of his Kingdom, to advance so good a Work: That if *Amyot* had been heard with Attention, who was but a private Man, and at a time, when he made them so injurious a declaration, with much strong- er Reason would they hear the Bishops of *France*, who were so considerable for their Merit: That however, the Council would have without them an entire Authority, the first Convocation having been lawful, and the second just and necessary; and let the King make what Protestations soever, that he would make use of the Remedies employ'd by his Predecessors, they hoped he would beware of reviving abrogated Customs, against which, the Council could not avoid declaring for the In- terests of his Crown: Let him cast therefore his Eyes rather upon his Ancestors, particularly up- on his very wise Father, who honour'd this Council; for otherwise, if he should fail to fol- low so good an example, he might render himself ungrateful towards God and the Church, his good Mother for whose sake he ought to sacrifice the the Resentments of his particular Offences.

When this was read, the Assembly broke up.

C H A P. VIII.

The History of the Fourteenth Session, concerning Penance and Extream Unction.

Legates Answer to Divines.

THE Day after the thirteenth Session, there was held a general Congregation, in which the Legate complained, that the Divines had not in their Disputes exactly followed the Order that was prescribed, which had caused several De- bates, which made them lose Sight of their Princi- pal Point, that was to oppose the Errors of *Luther*, whilst they amuse themselves with defending their particular Opinions with Heat. And therefore it was convenient to renew the Order which was made before, and to add some Articles to it, namely, that the Divines of *Louvain*, that were sent by the Queen of *Hungary*, should speak after the Empe- ror's: That the Congregations should be held twice a Day, in the Mornings from six to eleven, and in the Afternoons from two to five. Then the twelve following Articles concerning Penance, taken out of the Books of *Luther*, with four other concerning Extream Unction, were deliver'd to the Divines. They were desired to be short in their Opinions, to cut off useless Questions, and not to insist upon them with Obstinacy in their Disputations.

Articles concerning Penance to be exami- ned.

I. Penance is not properly a Sacrament instituted by Jesus Christ to reconcile those that fall after Baptism;

and the Fathers did not speak properly when they called Penance a second Plank after a Shipwreck: Baptism is truly the proper Sacrament of Penance.

II. Contrition, Confession, and Satisfaction, are not parts of Penance, but only that fear which Men feel in their Consciences, after being sensible of Sin, and that Faith which Men conceive by the Gospel of Absolution, whereby they believe their Sins to be remitted by Jesus Christ.

III. That Contrition which is form'd by an Exami- nation, Recollection and Detestation of our Sins, does not prepare us for Grace nor Forgiveness of Sins; but serves only to make a Man a Hypocrite, and more Guilty: That Contrition being a forced and not a voluntary Grief.

IV. Sacramental Confession is not of Divine Right; and it was not known before the Council of Lateran: Publick Penance alone was then in use.

V. An Enumeration of a Mans Faults is not necessary in Confession to obtain Forgiveness, but it is free, and is only good at that time to instruct and comfort a Penitent; formerly it was necessary to impose Canonical Satisfaction, There is no necessity of confessing all our Sins, particularly those that are bid, and which are against the two last Precepts of the Decalogue, no more than of all the Circumstances which

which have been invented by idle Persons. For if we will confess all, we shall leave nothing for Mercy to pardon. Neither is it Lawful to confess venial Sins.

VI. Confession of all our Sins, as the Church ordains, is impossible; and it is only a human Tradition, which good Men ought to take away. We are not obliged to confess in Lent.

VII. Absolution is not a judiciary Act of the Priest, but a bare Declaration which he makes to the Penitent that his Sins are forgiven: So that a Penitent ought to believe he is absolved, though he has no Contrition, and though the Priest absolves him not seriously but in jest: A Prelate may absolve a Sinner, tho' he does not confess.

VIII. Priests have not the Power of binding and loosing, unless they have the Grace of the Holy Ghost, and Charity; and they are not the sole Ministers of Absolution. All the Faithful may also absolve from publick Sins by way of Correction, if the Sinner acquiesces; and from secret Sins by voluntary Confession, by Vertue of these Words of Jesus Christ, Whatsoever you shall loose, shall be loosed; which he directed to all the Faithful.

IX. The Minister that absolves against his Superior's Prohibition, absolves the Sinner before God; for reserved Cases do not hinder Absolution, and Bishops have no Right to reserve Cases to themselves, unless it be for outward Policy.

X. God remits both Guilt and Punishment; and Satisfaction is nothing but Faith, whereby the Sinner believes that Jesus Christ satisfied for him; and Canonical satisfactions were appointed by the Fathers, either only to try the Faithful, or for Discipline; but never for the Remission of Punishment; and they began only since the Council of Nice.

XI. The best Penance is a change of Life; and God is not satisfied by Temporal Punishments, though they are voluntarily undergone, such as Fastings, Prayers Supplications, Alms, and other good Works, which are called Works of Supererogation, which God has not commanded.

XII. Satisfactions are not part of the Worship of God: They are human Traditions, which serve only to darken the Doctrine of Grace and of the true Worship of God, as also the Benefit of the Death of Jesus Christ; and it is a Fiction to say, that by the Power of the Keys Eternal Punishments can be changed into Temporal ones, since they were given only to absolve, and not to impose Punishments.

The four Articles concerning Extream Unction, to be examined, are these.

I. Extream Unction is not a Sacrament of the new Law instituted by Jesus Christ, but a Ceremony received from the Fathers, or a human Invention.

II. Extream Unction is not a Sacrament of the new Law, confers no Grace, forgives no Sins, comforts no Sick, who formerly recover'd their Health by the Gift of Healing: This Unction ceased in the primitive Church with this Gift.

III. The Rites and Ceremonies which the Church of Rome makes use of in the Administration of Extream Unction, are not agreeable to what St. James wrote; for which Reason they ought to be changed, and they may be despised without Sin.

IV. The Priest is not the sole Minister of Extream Unction; for those Presbyteri, whom St. James orders to come to anoint the Sick, are not Priests ordained by Bishops, but the Elders that were in the Congregation of the Faithful.

In the Discussion of these Articles, the Divines maintain'd every Man his own Opinion with so much Heat, that the Legate thought it convenient to cause the Decrees and Canons to be drawn up in a simple manner, without bringing in the different Opinions of both sides, by an evil Complaisance, which served only to enervate both Canons and Decrees.

When the Deputies who were to form the Decrees and Canons about Penance, had made an end of drawing them up, they were read in a general Congregation.

Upon the first Chapter, § 3, and upon the third Canon, in which 'tis said, that these Words, *Whosoever Sins you retain, shall be retain'd*, &c. ought to be understood, according to the unanimous Interpretation of the Fathers, of the Sacrament of Penance; Ambrosius Pelargus, a Jacobin, and Divine of the Elector of Triers, represented, that it was necessary to examine the Holy Fathers well before any thing was determin'd, lest they should make a false step; that he could assure them they would not find that unanimous Consent which the Decree speaks of; because some understood those Words of Baptism, and others of every thing whereby Mens Sins might be pardoned; and consequently to say, with this Decree, that all the Fathers understood these Words of the Institution of the Sacrament of Penance, and to declare those to be Hereticks that should teach otherwise, would be to give the Adversaries an Advantage, and an Occasion of thinking that the Council condemned the ancient Doctrine of the Church.

Several Prelates thought this Advice worthy of Reflexion, and seemed desirous to have the matter examin'd anew; but the Legate was not at all of that Opinion, saying, that it would be in a manner impossible to examine all the Fathers, and to find them all of one Mind: That it was enough that most of the Fathers were Witnesses of the common Belief of the Church, to empower them to say it was the common Opinion; and that if they were to examine every Opinion of the Fathers, it would give the Hereticks an opportunity to lay hold of some Passages of the Fathers, which seem'd to be of their side.

Whereas it is said, in Chap. 3. and Can. 4. that Contrition, Confession, and Satisfaction, are the Matter of the Sacrament of Penance; the Cordeliers represented, that this was to alter the Idea which Men had of the Matter of a Sacrament, which was always something applied by the Minister to the Person that receives it; and consequently, that the proper Acts of the Penitent ought not to pass for the Matter of Penance: That formerly Contrition was not less requisite to Baptism, than to Penance, and that the Ancients, according to St. John Baptist's Example, required Confession before they gave Baptism, and even order'd their Catechumens to do Penance; and yet, that it was never said, that Contrition, Confession, and Satisfaction, were the Matter of Baptism. The Divines of Cologne joined with the Cordeliers. Upon this Remonstrance, it was thought proper to alter the Decree and Canon, by saying, they were, as it were, the Matter.

The Remonstrance of Johannes Aemilianus, Bishop of Tuy in Galicia, who said, he did not think it was true, that a Man could have a Sorrow for Sin, unless it were out of a Motive of Love, and that he was not certain that Attrition alone was sufficient with the Sacrament; caused many Disputes concerning the Nature of that Contrition which is requisite in the Sacrament of Penance. Some Divines believ'd a Simple Attrition was enough, when it began through Fear of Hell-Punishments; but the Generality maintain'd, that this Contrition ought necessarily to include Love of God, and the Beginnings of Charity. The Bishop of Tuy was of the same Opinion, that Perfect Contrition was necessary to obtain Forgiveness of Sin, even in the Sacrament; owning however, that Sin was forgiven by Vertue of the Sacrament; a Desire of which, is contain'd in Contrition.

The Decree of the Council upon this Article, was at first drawn up in the following manner: 'The Holy Council declares, that the Contrition, which the Divines call Attrition, not only do's not make a Man a Hypocrite, nor more a

[6] F f t t f f Sinner,

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Sinner, as some dare to blaspheme; but that it is sufficient to make the Sacrament valid; and that it is the Gift of God, and a very real Impulse of the Holy Spirit, who does not indeed at that time dwell in, but moves the Penitent; by whom being assisted, which he cannot be, without some Love towards God, it becomes more easy to him to obtain the Grace of God. But it was afterwards changed, and drawn up, as we shall relate,

The *Cordeliers* complain'd, at its being declared in the Chapter of Absolution, that it was Heresie to say, that Sacramental Absolution is a Declaration; considering, that St. *Jerome* was of that Opinion, and that the Master of the Sentences, and almost all the Schoolmen, held, that Absolution in the Sacrament of Penance, was an Absolute Declaration.

It was answer'd, that those that said, that Absolution is a Declaration of the forgiveness of Sins, were not condemned for Hereticks; but only those that Asserted, that Sins were forgiven to those who certainly believed they were so. So that this Canon only related to the Opinion of *Luther*.

Upon the seventh Chapter, of *Reserved Cases*, the Divines of *Louvain* objected, that it could not be found, that any Father ever spake of this Right; and, that *Durandus* the Penitentiary, *Gerson* and *Cajetan*, all said, that Censures only are reserved to the Pope, but not Sins: So that it was too severe, to pronounce in the eleventh Canon an *Anathema* against those that were of the contrary Opinion. The Divines of *Cologne* were of the same Opinion, and said, that they could not find any Ancient Writer that spake of any other Reservation, but that of Publick Sins: And, that such Illustrious Persons, as those whom the Divines of *Louvain* had quoted, ought not to be condemned: And, that *Campegius*, in his Reformation of the Clergy, himself had own'd, that it was an Abuse, only to get Money. These same Divines demanded, that Publick Penance might be mention'd, which was so much commended by St. *Cyprian* and St. *Gregory*; adding, that if the Use of it were not restor'd, for Hereticks and publick Sinners, *Germany* would have wrong done to it.

There was no Dispute about the Decree and Canons concerning the Sacrament of Extream Unction: Only one Divine took Notice upon what was said, that it belong'd only to Priests, to confer this Sacrament; that it ought to be observ'd that it was said in St. *Mark*, that the Apostles anointed the Sick, before they were made Priests, in the last Supper. This Reflection gave Occasion to put it into the Decree, that this Sacrament; was insinuated in St. *Mark*.

Memorial of the Spanish Bishops

The *Spanish* Bishops, presented to the Legate a Memorial from the Council of *Castile*, which had been made ever since the Year 1545, and had been put into their Hands by *Vargas*; wherein the Council demanded, that the Pope should support the Office of the Holy Inquisition, and grant nothing to the Prejudice of an Establishment so necessary to the Good of the Kingdom of *Spain*: That they would hinder Pluralities of Benefices with Cure of Souls; Unions of several Benefices for one Man's Life; Regresses; *Gratia Expectativa's*; Artifices to procure Successions into Benefices; Secret and Fraudulent Collations; Collations of Benefices to Foreigners; Privileges of Clerks, to those that have only the Simple Tonsure; Exemptions from the Jurisdiction of the Ordinary; and the Attempts of Popes upon Lay Patronages. The Legate receiv'd this Memorial, and said he would examine it.

Nov. 25. 1551. the Fathers of the Council being met in the Cathedral Church, to hold the fourteenth Session, after the accustomed Prayers, caused the following Decree and Canons to be read.

[(n) So the *Rhemes* Translators render these Words of our Blessed Saviour, *Luke* 13. 5. They follow the *Vugate*, as did

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Tho' several things, relating to the Sacrament of Penance, have been inserted in the Decree of Justification, because of the Connexion and Relation which there is between them; yet the Holy Council believ'd it to be of great Advantage to the Publick, to give a more exact and ample Definition, because of the Multitude of Errors which have appeared in our Days concerning this Sacrament; that so, after they have been known, and destroy'd, by the Assistance of the Holy Spirit, the Catholick Truth, which the Council here sets forth to be punctually kept, may appear with all its Evidence, and with all its Light.

Chap. I. If all those that are Regenerate had sufficient Gratitude towards God, to preserve constantly that Righteousness which they receiv'd in Baptism by his Grace and Favour, it would not have been necessary to have instituted another Sacrament for the Forgiveness of Sins. But since God, who is Rich in Mercy, knows our Frailty, he is willing to give a Remedy of Life to those who shall have deliver'd themselves over to the Slavery of Sin, and to the Power of the Devil; and this Remedy is no other than the Sacrament of Penance, whereby the Benefit of the Death of Christ is applied to those who have fall'n after Baptism. Penance has always been necessary, at whatsoever time Men that were defiled with any mortal Sin, would obtain Grace and Righteousness, even to those that desire to be wash'd by Baptism; that so, renouncing their Malice, and correcting themselves, they may detest so great an Offence as they have committed against God; conceiving in their Hearts a Holy Grief, and Hatred of their Sins. This made the Prophet *Ezekiel* say, Repent, and turn your selves from all your Transgressions: So Iniquity shall not be your Ruine. Jesus Christ himself says, (n) If you have not Penance, you shall all likewise perish. St. *Peter*, the Prince of the Apostles, being to recommend Penance to Sinners that were disposed to receive Baptism, said to them, Repent and be baptized every one of you. Now Penance, before the coming of Jesus Christ, was not a Sacrament, nor is one since, unless one is Baptized.

Our Lord Jesus Christ principally instituted the Sacrament of Penance, when, being risen from the Dead, he breathed upon his Disciples, and said, Receive the Holy Ghost: Whosoever Sins ye remit, they are remitted unto them; and whosoever Sins ye retain, they are retained. By so remarkable an Action, and such clear Words, all the Fathers unanimously understood, that the Power of retaining Sins, was communicated to the Apostles, and to their Successors, to reconcile the Faithful that fall after Baptism: And 'tis with this great Reason, that the Catholick Church drove out and condemned the *Novatians* as Hereticks, because they obstinately denied this Power of Forgiving Sins. Wherefore the Holy Council approving of this Sense of the Words of our Lord, as most true, condemns the Imaginary Interpretations of those, who, to oppose the Institution of this Sacrament, wrest these Words, and apply them to the Power of preaching the Word of God, and declaring of his Gospel.

Chap. II. However, it is acknowledged, that this Sacrament differs, in several Respects, from Baptism: For besides that the Matter and the Form, which are the Essence of the Sacrament, are very different; it is also very certain, that the Minister of Baptism is not a Judge, because the Church exercises its Jurisdiction only upon those who are first enter'd into its Bosom by the Gate of Baptism: For what have I to do, said St. *Paul*, to judge them that are out of the Church? The Case is not the same with the Household of Faith, whom J. Christ our Lord has made Members of his Body, by the Waters of Baptism: For if they afterwards come to be defiled with any Crime, he

the Council of Trent, whose Words are, *Nisi penitentiam egeritis, omnes similiter peritis.*

would

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would not have them repeat Baptism in order to be wash'd, that is a thing not allowed in the Catholick Church upon any Account soever; but he would have them present themselves before this Tribunal, as Criminals; that so, by the Sentence of the Priests, they may be absolved from the Sins which they shall have committed, not only once, but as often as with a Spirit of Penance they shall have recourse to him. Besides, the Fruit of Baptism is different from that of Penance: For by Baptism we are cloathed with Jesus Christ, and obtain a full and entire Remission of our Sins, and we become a new Creature in him; by Penance we cannot arrive at this entire Renewal, and this total Remission, without abundance of Tears and bitter Groans, which the Justice of God exacteth from us. And this made the Holy Fathers say, with Reason, that Penance was a laborious Baptism. Now the Sacrament of Penance is not less necessary to those who are fal'n after Baptism, to obtain Salvation, than Baptism is to those that never were Regenerate.

Chap. III. The Holy Council also teaches, that the Form of the Sacrament of Penance, in which principally its Virtue doth consist, is contained in these Words of the Minister, *I Absolve you*; to which some other Prayers are join'd, according to the laudable Custom of the Holy Church, which have no relation to the Essence of the Form of the Sacrament, and are not necessary for its Administration. The Acts of the Penitent, namely, Contrition, Confession, and Satisfaction, are as it were the Matter of this Sacrament; and these Acts, in as much as they are required in the Penitent to make the Sacrament entire, and to obtain a full and perfect Remission of Sins, by the institution of God, are for that Reason called Parts of Penance: But as to the Thing it self, and the Effect of this Sacrament, in what relates to its Virtue and Efficacy, it consists in a Reconciliation with God; which is sometimes follow'd, in pious Persons that receive this Sacrament with Devotion, with great Peace and Tranquility of Conscience, joined with abundant Consolation of Spirit. The Holy Council, thus setting forth the parts and effects of this Sacrament, at the same time condemns the Opinions of those that obstinately maintain, that the Terrors which are felt in the Conscience, together with Faith, are parts of Penance.

Chap. IV. Contrition, which is the first of these Acts of the Penitent here mention'd, is a Grief of Mind, and a Detestation of the Sins that one has committed, with a Resolution to sin no more for the future. This Contrition was at all times necessary to obtain Pardon of Sin; and in fal'n Man, after Baptism, it disposes him for Forgiveness of his Sins, if it is join'd with a full Confidence in the Mercy of God, and animated with a Desire of doing the other things that are requisite, to receive this Sacrament as we ought. The Holy Council declares therefore, that this Contrition contains not only a Cessation from Sin, a Resolution and a Beginning of a new Life, but also a Hatred of our past Life; as *Ezekiel* says, *Cast away from you all your Transgressions whereby you have transgress'd, and make you a new Heart and a new Spirit*; and certainly, he that shall consider the Transports and the Groans of the Saints, will easily comprehend, that they proceed from a violent Hatred of their past Life, and a vehement Detestation of their Sins. The Holy Council teaches also, that tho' it may happen that this Contrition be sometimes perfect thro' Charity, and may reconcile a Man to God before he actually receives this Sacrament; yet this Reconciliation ought not however to be attributed to this Contrition, unless the Desire of receiving this Sacrament, which is included in it, be joined with it. It declares also, that that imperfect Contrition which is called Attrition, which generally arises from a Consideration of the Ugliness of Sin, or from a Fear of Hell and its Punishments, if it includes a Hope of Pardon, and excludes a Desire of

sinning, do's not only not make a Man a Hypocrite, and more Criminal, but is a Gift of God, and a Motion of the Holy Ghost, who does not indeed yet dwell in, but only moves the Will; whereby the Penitent, being assisted, prepares for himself a Way to recover Righteousness: And tho' this Attrition cannot of it self lead a Sinner to Justification, without the Sacrament, yet it disposes him to obtain the Grace of God in the Sacrament; for it was by this Fear, that the *Ninevites* were struck, to their Advantage, by the preaching of *Jonas*, did Penance, and obtain'd Mercy from the Lord: So that some accuse Catholick Writers falsely, and without Reason, as if they had maintain'd, that the Sacrament of Penance confers Grace, without any good Motion in the Persons that receive it; which was never the Doctrine, nor the Sense, of the Church of God: And they falsely also teach, that Contrition is a constrained and forced Act, and not a free and a voluntary one.

Chap. V. In pursuance of the Institution of the Sacrament of Penance, thus explain'd, the Catholick Church has always understood, that entire Confession was likewise instituted by our Lord; and that, of Divine Right, it is necessary for those who have fal'n after Baptism; because our Lord Jesus Christ, being ready to ascend up into Heaven from the Earth, left his Priests to be his Vicars, as Presidents and Judges, before whom the Faithful ought to bring all their mortal Sins, into which they shall have fal'n; that so, by the Power of the Keys, which was given them to forgive or retain Sins, they may pronounce Sentence: It is certain, that Priests cannot make this Judgment, unless they knew the Cause; and they cannot observe the Rules of Equity, in Imposition of Punishments, if the Penitents should declare their Faults only in general, and not particularly, one by one. Hence it follows, that Men ought to declare all the mortal Sins, of which they find themselves guilty, in their Confessions, after they have carefully examined themselves, even tho' these Sins should be never so Secret, and have been committed only against the two last Precepts of the Decalogue; because these Sins sometimes inflict more mortal Wounds upon the Soul, and are more dangerous, than those which are committed in the Eyes of the whole World. As for Venial Sins, which do not cause us to lose the Grace of God, and into which we very often fall, tho' it be good and profitable to declare them in Confession, and tho' it be done without Presumption, as many pious Persons practise it, yet they may be concealed without Sin, and may be expiated by other Remedies, but since all mortal Sins, even those of Thought, make Men Children of Wrath, and Enemies of God, it is necessary to ask God Pardon of them all, by a Confession without Reserve, accompanied with Confusion: And therefore, when the Faithful endeavour to confess all the Sins they can remember, they lay them without Hesitation before the Mercy of God, to obtain his Pardon; and those that do otherwise, and voluntarily retain any Part, present nothing to the Divine Mercy which can be remitted by the Priest: For if a Sick Man is ashamed to discover his Wound to his Physician, he cannot certainly cure what he does not know. Hence also it follows, that Circumstances, which alter the Nature of a Sin, ought to be revealed in Confession; because he that conceals them, makes no entire Confession, nor do's he give the Judges a Perfect Knowledge of his Faults; without which, it is impossible for him to make a right Judgment of the Greatness of Crimes, nor to impose upon Penitents a Punishment proper for their Sin: Which shews, that it is not Reasonable to teach, that the Enumeration of Circumstances was invented by idle Men; or, that it is sufficient to confess one single Circumstance, and barely to say, that we have sinned against our Brother. It is also an Impious thing, to say, that Confession, so decreed to

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be made, is impossible; or, to call it a Rack and a Torture of Mens Consciences: For it is certain, that nothing else is required of Penitents in the Church, but for every Man, after he has carefully examined and sounded all the Folds and Windings of his Conscience, to confess those Sins which he can remember, whereby he shall believe that he has mortally offended his Lord and his God: The other Sins which he does not remember, after he has carefully examined himself, are reckoned to be comprized in general in the same Confession; and it is of these Sins that we say with confidence, *Lord, cleanse me from my secret Faults*. Now the Difficulty of such a Confession, and the Shame of laying the state of our Consciences open, might seem indeed to be a very heavy Yoke, if it were not made light by so many Advantages and Consolations, which all those do most certainly receive by Absolution, who worthily approach this Sacrament. But as to the manner of confessing secretly to the Priest alone, though Jesus Christ has not forbidden us to confess our Sins publickly, either to be revenged upon our selves for our own Faults, or to humble our selves, or to give Example unto others, or to edifie the Church which has been offended; yet however it is not commanded by any divine Precept, and it would not be very adviseable to ordain by any human Law, that Sins, and particularly secret ones, should be discovered by a publick Confession. From what has been said, and from the unanimous Testimony of the most ancient Fathers, it is plain, that the sacramental Confession which the Church has used from the Beginning, and which it still uses, was always recommended; and that it is easie to refute the vain Calumny of those who are not ashamed to say, that it is foreign to any Commandment of God, and a human Invention, which began only in the Council of *Lateran*: For the Church, in that Council, does not decree, that all the Faithful should confess; as knowing well, that the thing was necessary, and of divine Institution; but it only enjoins all and every of the Faithful to satisfy, at least once a year, when they shall come to the Age of Discretion, the Precept of Confession: Thence it is, that this so wholesome Practice of confessing, especially in the acceptable time of *Lent*, is observed with so much Profit to the Souls of the Faithful in the whole Church; and it is this Practice which this holy Council approves and embraces as a pious Custom, and which deserves to be retained.

Chap. VI. As to the Minister of this Sacrament, the holy Council declares that Doctrine to be false and entirely foreign to the Truth of the Gospel, which, by a pernicious Error, extends the Ministry of the Keys, which belongs only to Bishops and Priests, to all sorts of Persons; supposing, against the Institution of this Sacrament, that these Words of Jesus Christ, *Whatsoever ye shall loose on Earth, shall be loosed in Heaven: Whosoever Sins ye shall forgive, shall be forgiven; and whosoever Sins ye retain, shall be retained*; were indifferently, and without distinction, addressed to all the Faithful; so that every one has a power to forgive Sins; publick ones, by Correction, if the Person corrected acquiesces; and secret ones, by a voluntary Confession made to any Person whatsoever.

The holy Council also declares, that Priests themselves, tho' guilty of mortal Sin, fail not, thro' the Power of the Holy Ghost, which they have received in their Ordination, to forgive Sins, as the Ministers of Jesus Christ: And, that those who maintain that wicked Priests have not this Power, do err: And, that tho' the Absolution of the Priest be a Dispensation of the Benefit of another Person, yet it is not a bare ministerial Act, or a Commission to preach the Gospel, or a Declaration of the Forgiveness of Sins; but a sort of judicial Act, by which the Priest, as Judge, pronounceth Sentence: For which Reason, the Penitent ought not altogether to rely upon his Faith, nor to believe, that, without

Contrition on his part, and without an Intention to act seriously, and to absolve in earnest on the Minister's part, he shall be truly absolved before God, upon the account of his Faith alone: For Faith, without Penance, will never produce Forgiveness of Sins; and that Man would be extremely negligent of his own Salvation, who, knowing that a Priest absolved him but in jest, would not carefully seek out for another that should do it in earnest.

Chap. VII. Since therefore the Nature of Judgment requires, that Sentence be pronounced only upon those over whom we have Jurisdiction, the Church of God has always been persuaded of this Truth, and the holy Council confirms it; namely, that Absolution, pronounced by the Priest to any Person, over whom he has neither ordinary nor sub-delegated Jurisdiction, is null. The holy Fathers always believed, that it was very necessary, for the Discipline of Christian People, that some foul and enormous Crimes should not be remitted by all sorts of Priests, but only by Bishops: Wherefore it is with Reason, that the sovereign Pontiffs, by vertue of that supreme Power which is given them in the whole Church, may reserve, for their particular Judgment, the cognizance of some heinous Crimes; and since all things which come from God, are well ordained, it is not to be doubted but Bishops may do the same, each one in his own Diocese, for Edification, and not for Destruction, pursuant to that Authority which has been given them over those that are subject to them, above all inferior Priests, especially in Cases which carry along with them Censures, and Excommunication. Now this Reservation of Sins, by divine Authority, has this Effect, not only as to outward Policy, but also before God. However, lest any Man should perish by this means, it has always been piously observed in the Church, that there are no reserved Cases *in articulo mortis*; and, that every Priest may absolve Penitents, at that time, from all manner of Sins and Censures: But, setting that Case aside, Priests having no power to absolve in reserved Cases, all that they have to do, is, to persuade the Penitents to go to the Superiors, and lawful Judges for Absolution.

Chap. VIII. Lastly, as to Satisfaction, which, of all the parts of Penance, is that which in all times has been the most recommended to Christian People by the holy Fathers, and which is at this time the most struck at, upon a pretence of Piety, by Persons who have outwardly indeed an Appearance of Piety, but who have renounced it at the bottom; the holy Council declares, that it is entirely false, and foreign to the Word of God, to say, that the Guilt is never pardoned by our Lord, unless the Punishment be also entirely forgiven: For, besides divine Tradition, there are clear and illustrious Examples in the holy Scriptures, by which this Error is manifestly destroyed; and certainly the Conduct of the Justice of God seems to require, that he should receive those to Grace, in a very different manner, who sinned thro' Ignorance before Baptism; and those, who having been once delivered from the Bondage of Sin and of the Devil, and who, having received the Holy Spirit, were not afraid deliberately to profane the Temple of God, and to grieve the Holy Spirit: It is also of the Mercy of God, that our Sins are not thus forgiven us without some Satisfaction; lest, taking occasion from thence to think them slight, we should suffer our selves to go on to greater ones, and so should *treasure up Wrath against the Day of Wrath*: For there is no question but those Penalties, which are imposed for the Satisfaction of Sins, turn away Sin, and are as it were a Bridle to keep Sinners in, obliging them to be more watchful, and more upon their Guard, for the time to come; and they serve also as Remedies, to cure the Remainders of Sin, and to destroy, by the Practice of the contrary Virtues, the evil Habits which have been contracted by an irregular Life.

The History of the Council of Trent. The Church thought there was no way surer to turn away the Chastisement, with which God continually threatens Men, than to practise these Works of Penance with a true Grief of Heart. Besides, whilst we suffer for our Sins by these sorts of Satisfaction, we become like to Jesus Christ, who himself satisfied for our Sins: 'Tis from him we draw all that we are capable of; thereby we have Assurances, that we shall have part in his Glory, if we have part in his Sufferings; and this Satisfaction, by which we pay for our Sins, is not so much ours, as wrought by Jesus Christ: For we, who can do nothing of our selves, as of our selves, can do all by his Help who strengthens us; so that Man has nothing whereof to boast, but the whole Subject of our glorying is in Jesus Christ, in whom we live, in whom we merit, and in whom we satisfy, bringing forth worthy Fruits of Penance, which take their Efficacy from him, which he himself offers to the Father, and which the Father receives from him. The Priests of the Lord therefore, as far as the Holy Ghost and their own Prudence shall suggest to them, ought to enjoin salutary Satisfaction, and such as are agreeable to the Quality of the Crimes and the State of the Penitent; lest, perhaps, by yielding to their Sins, and acting with too much Indulgence towards them, by imposing too slight Penances for very considerable Crimes, they become themselves Partakers of other Mens Sins: They ought therefore to take care, that the Satisfaction which they impose, may not only be a Preservative to Penitents, to preserve their new Life, and a Remedy to their Infirmary, but may also be instead of Punishment and Chastisement for their past Sins: For the ancient Fathers believe and teach, as well as we, that the Keys were given to Priests, not only to loose, but also to bind; and yet they did not think that the Sacrament of Penance was a Tribunal of Wrath and Punishment. So likewise no Catholick ever believed, that the Vertue of the Merit and Satisfaction of our Lord is darkned or diminished by our Satisfaction thus explained. But the Innovators, who will not understand, teach otherwise; saying, that good Penance is only a Change of Life; and so take away all Vertue from the use of Satisfaction.

Chap. IX. The holy Council also declares, that the Extent of the divine Magnificence is so great, that by the means of Jesus Christ, we can satisfy God the Father, not only by the Pains which we voluntarily embrace, to revenge our Sins upon our selves, or by those which are imposed upon us at the Discretion of the Priest, according to the measure of our Faults; but also, which is a very great Mark of his Love, by the temporal Afflictions which he sendeth us, when we suffer them patiently.

Decree concerning Extream Unction. To this Doctrine of Penance, the holy Council thought it advisable to join what follows, concerning the Sacrament of Extream Unction, which the holy Fathers look'd upon as the Consummation, not only of Penance, but also of all Christian Life, which ought to be a continual Penance: Wherefore, in the first place, as to its Institution, it declares and teaches, 'That our most merciful Redeemer, who was willing at all times to procure salutary Remedies for his Servants against all the Darts of their Enemies, has prepared in the other Sacraments powerful Supplies to Christians, to preserve them during their Lives, and to protect them from all spiritual Evils; was desirous also to fortify the end of their Lives with the Sacrament of Extream Unction, as with a strong and safe Defence: For tho' our Enemy seeks and takes Occasions, all our Life long, to devour our Souls by all manner of means, yet there is no time, wherein he makes use of his Arts and Snares, with more Force, utterly to undo us, and, if he can, to make us fall from a Trust in the Mercy of God, than when he sees we are just a dying.

Chap. I. Now this sacred Unction of the Sick was instituted by our Lord Jesus Christ, as a true
V o L. III. †

and proper Sacrament of the new Covenant, instituted in St. Mark, recommended and published to the Faithful by St. James the Apostle and Brother of our Lord; *Is any sick among you? (says he) let him call for the Presbyters of the Church, and let them pray over him, anointing him with Oil in the Name of the Lord: And the Prayer of Faith shall save the Sick, and the Lord shall raise him up, and if he have committed Sins they shall be forgiven him.* By these Words, which the Church has received, by apostolical Tradition, from hand to hand, she has taught her self, and then teaches us, what is the Matter, the Form, the proper Minister, and the Effect of this salutary Sacrament. For the Church has understood the Oil, blest by the Bishop, to be the Matter. In truth, Unction perfectly represents the Grace of the Holy Spirit, with which the Soul of the sick Man is invisibly anointed; and that the Form consists in these Words, *By this Unction, &c.*

Chap. II. The Gift and Effect of this Sacrament are explained by these Words, *And the Prayer of Faith shall save the Sick, &c.* For that which is given by this Sacrament, is the Grace of the Holy Spirit, whose Unction cleanseth the Remainders of Sin, and those Sins which are still unexpiated; comforteth and refresheth the Soul of the sick Man, raising in him a great Confidence in the Mercy of God; by which, being supported, he more easily bears the Inconveniences and Agonies of Sickness, and more easily resists the Temptations of the Devil, (who lays Ambuscades against him in this Extremity) and sometimes even obtains the Recovery of the Body, when it is useful for the Salvation of the Soul.

Chap. III. Now, as for the determining who ought to receive this Sacrament, and who to administer it, the Words already cited plainly teach us, since they shew, that the proper Ministers of this Sacrament are *Presbyters*. By this Term, not the oldest Persons are to be understood, or the chiefest in Dignity among the People, but Bishops, or Priests, whom Bishops have ordained by Imposition of Hands. The same Words also teach us, that this Unction ought to be made upon the Sick, especially when they are so dangerously ill, that they appear to be ready to expire; for which Reason it is also called *The Sacrament of the Dead*. Now if the Sick, when they have received this Sacrament, recover, they may be again assisted with it, when they fall into another like Danger of Death. Those therefore are by no means to be hearken'd to, who, against this so clear and so evident Testimony of St. James, teach, that this Unction is only a human Invention, or a Ceremony receiv'd from the Fathers, that is founded upon no divine Precept, and contains no Promise of Grace: Nor those likewise, who maintain, that it has ceased; as if it related only to the Grace of healing the Sick, which was in use in the primitive Church: Nor those who say, that the Rites and Ceremonies observed by the Church of Rome in the Administration of this Sacrament, are contrary to the Doctrine of St. James, and ought to be changed into others: Nor those who assure us, that Extream Unction may be despised by the Faithful without Sin: For all this is visibly against the precise and formal Words of this great Apostle; and certainly the Church of Rome, which is the Mother and Mistress of all others, observes nothing that relates to, and constitutes the Substance of this Sacrament, in the Administration of it, but what St. James ordained: So that one cannot despise so great a Sacrament, without sinning, and doing an Injury to the Holy Ghost himself. This is the Profession which the holy Council makes concerning the Sacraments of Penance and Extream Unction; which it teaches and proposes to all the Faithful to be believed: And it commands the following Canons to be inviolably observed, pronouncing a Condemnation and Anathema against those who shall maintain the contrary.

The History of the Council of Trent. I. If any one says, that in the Catholick Church, Penance is not truly a Sacrament instituted by our Lord Jesus Christ, to reconcile the Faithful to God as often as they fall into Sin after Baptism: Let him be Anathema.

II. If any one, confounding the Sacraments, says, that Baptism is the Sacrament of Penance, as if these two Sacraments were not different; and consequently that he does not speak justly, who calls Penance the second Plank after Shipwreck: Let him be Anathema.

III. If any one says, that these Words of our Lord and Saviour, Receive the Holy Ghost; whosoever Sins ye remit, they are remitted unto them; and whosoever Sins ye retain, they are retained, ought not to be understood of the Power of remitting and retaining Sins in the Sacrament of Penance, as the Catholick Church has always understood them from the beginning; but wrests the Sense of these Words, against the Institution of this Sacrament, to apply them to the Power of preaching the Gospel: Let him be Anathema.

IV. If any one denies, that three Acts are requisite in a Penitent, for the entire and perfect Remission of his Sins, which are as it were the Matter of the Sacrament of Penance, namely, Contrition, Confession, and Satisfaction, which are called the three Parts of Penance; or if he says, that there are but two Parts of Penance; namely, the Terror which is excited in the Conscience, the Knowledge of our Sin, and Faith conceived by the Gospel, or by Absolution, whereby Men believe their Sins to be forgiven: Let him be Anathema.

V. If any one says, that this Contrition, which is felt when we examine, recollect and detest our Sins, and which causes us to go over the Years of our fore-past Life in the bitterness of our Hearts, by weighing, with a firm Resolution to lead a better Life, the Greatness, Multitude, and Deformity of our Sins, the Loss of eternal Blessedness, and the eternal Damnation which we incur, is not a real and profitable Grief, disposing Men to Grace, but makes them Hypocrites and greater Sinners; in a word, that this Contrition is a constrained Grief, not free and voluntary: Let him be Anathema.

VI. If any one denies, that sacramental Confession was instituted, or is by divine Right necessary to Salvation, or says, that the manner of confessing secretly to the Priest alone, which the Church has always observed from the beginning, and still observes, is not conformable to the Institution and Precept of Jesus Christ, but is a human Invention: Let him be Anathema.

VII. If any one says, that in the Sacrament of Penance, it is not necessary and of divine Right for the Remission of Sins, that all and every person should confess their mortal Sins, which they can remember, after they have carefully examined even their secret Sins, which are against the two last Precepts of the Decalogue, and the Circumstances which alter the Nature of the Sin; but that this Confession is only useful to instruct and comfort the Penitent, and was never in use, unless it were to impose a canonical Satisfaction; or if any one says that those that concern themselves to confess all their Sins, will leave nothing to the Mercy of God to pardon; or lastly, that it is not lawful to confess venial Sins: Let him be Anathema.

VIII. If any one says, that Confession of all our Sins, as it is observed in the Church, is impossible, and that it is only a human Tradition, which pious Persons ought to abolish; and that all and every of the Faithful of both Sexes are not obliged, according to the Council of the Lateran, to confess at least once a Year; and that for this Reason, Christians ought not to be persuaded to confess in Lent: Let him be Anathema.

IX. If any one says, that the Absolution of the Priest is not a judicial Act, but only ministerial, which pronounces and declares to him that confesses that his Sins are forgiven, provided only that he believes that he is absolved; though the Priest does not give him Absolution seriously, but only in jest; or says that the Confession of a Penitent is not necessary that the Priest may give him Absolution: Let him be Anathema.

The History of the Council of Trent. X. If any one says, that Priests under mortal Sin have no Power to bind and loose, or that Priests are not the sole Ministers of Absolution, but that it is to all the Faithful, and to every of them that these Words are directed, Whatsoever ye shall bind on Earth, shall be bound in Heaven, and whatsoever ye shall loose on Earth, shall be loosed in Heaven; whosoever Sins ye shall remit, they are remitted, and whosoever Sins ye shall retain, they are retained; so that by virtue of these Words every Man may absolve Sins if they be publick; by Rebuke only, if the Person that is reprehended acquiesces; and if they be secret, by voluntary Confession: Let him be Anathema.

XI. If any one says, that Bishops have no Right to reserve Cases to themselves, unless it be as to outward Policy; and consequently that no Reservation hinders a Priest from absolving really in reserved Cases: Let him be Anathema.

XII. If any one says, that God always remits the whole Punishment with the Guilt, and that the Satisfaction of Penitents is nothing but Faith, whereby they apprehend that Jesus Christ has satisfied for them: Let him be Anathema.

XIII. If any one says, that by virtue of the Merits of Jesus Christ there is no Satisfaction made for Sins, as to temporal Punishments, by the Afflictions which he sends that are patiently endured, or by those Penalties which the Priest enjoins, or even by those which Men voluntarily impose upon themselves, such as Fastings, Prayers, Almsdeeds, and other Works of Piety; and consequently asserts that perfect Penance is only a change of Life: Let him be Anathema.

XIV. If any one says, that the Satisfaction, whereby Penitents redeem their Sins by Jesus Christ, are no part of the Worship of God, but only human Traditions, which obscure the Doctrine of Grace, the true Worship of God, and the Benefit of the Death of Christ: Let him be Anathema.

XV. If any one says, that the Keys of the Church were given only to loose and not to bind, and consequently when Priests impose Penalties upon those that confess, they act against the end for which they received the Keys, and against the Institution of Jesus Christ; and that it is a Fiction to say, that after the eternal Punishment has been taken away by virtue of the Keys, the temporal Punishment does for the most part remain to be expiated: Let him be Anathema.

The four other Canons upon Extream Unction, were these.

I, If any one says, that Extream Unction is not truly and properly a Sacrament instituted by our Lord Jesus Christ, and published by the Apostle St. James, but only a Ceremony received from the Fathers, or a human Invention: Let him be Anathema.

II. If any one says, that the Holy Unction, which is given to the Sick, does not confer Grace, does not remit Sin, nor comfort the Sick; but that it ought no longer to be used, it not being that which was formerly called the Gift of Healing the Sick: Let him be Anathema.

III. If any one says, that the Ceremonies of Extream Unction, and its Use as it is observed in the Church of Rome, are repugnant to the Sense of St. James the Apostle; and that therefore they ought to be changed, and that Christians may without Sin despise this Sacrament: Let him be Anathema.

IV. If any one says, that the Presbyters, whom St. James exhorts to be brought to anoint the Sick, are not Priests ordained by the Bishop, but only the eldest Persons in any Society whatsoever; and consequently that the Priest alone is not the proper Minister of Extream Unction: Let him be Anathema.

These Canons were followed by a Decree about Reformation, which ran in these Words.

‘ The Duty of Bishops being properly to reprove the Vices of those that are under their Care, they ought

Decree concerning Reformation.

The History of the Council of Trent. ought particularly to be watchful that Ecclesiasticks, and especially those that have charge of Souls, be without Reproach, and that through their Connivance they be not the cause that the others lead a disorderly Life; for if they suffer their Manners to be depraved and disorderly, how can they reprove the Laity for their Vices, who will stop their Mouths, by telling them that they suffer the Clergy to live worse than them? And with what freedom can Clergymen correct the Laity, when their own Consciences shall reproach them for committing the very things which they reprehend? Wherefore the Bishops shall exhort their Clergy, of whatsoever Rank they be, to shew the People committed to them the way by their exemplary Lives, their Discourses, and their Doctrine; remembering what is written, *Be ye holy, because I am holy*, and so give no Person any cause of Scandal, according to St. Paul's Words, that their Ministry be not dishonoured, but upon all occasions shew themselves to be the true Ministers of God, lest this Saying of the Prophet be fulfilled in them, *The Priests of the Lord have violated my Law, and profaned my holy Things*. But that Bishops may the more easily acquit themselves of their Obligation, and may not be hindered upon any pretence whatsoever, the holy Council has thought it convenient to establish and make these following Regulations.

Concerning those that are forbidden to take Orders. Chap. I. It being always more honourable and more safe for Inferiors to serve in a lower Function, by rendering due Obedience to their Superiors, than to cause them to be scandalized, by endeavouring to raise themselves to a more exalted Post: The holy Council ordains, that no Permission granted against the mind of the Superior for any one to be advanced, nor any Restoration to the Functions of Orders already received, or to any Degrees, Dignities, or Honours whatsoever, shall be valid in favour of him whom his Bishop or Superior shall have forbidden to obtain holy Orders, for any Cause whatsoever (even tho' it should be a secret Crime) and in what manner soever, even extra-judicially; nor shall such Permission be valid in favour of him who should have been suspended from the Exercise of his Orders, or from his Degrees or ecclesiastical Dignities.

No Man capable to be ordained but by the Bishop or with his Consent. Chap. II. And because some Bishops of Churches in *partibus Infidelium*, having no Clergy or Christian People of their own, being for the most part Vagabonds, and without any fixed Abode, go about seeking not the Interest of Jesus Christ, but other Mens Flocks, without their proper Pastors knowledge; and after the holy Council had forbidden them to exercise episcopal Functions in other Mens Dioceses, without the express Permission of the Ordinary of the Place, and that too only upon Persons under that Ordinary's Jurisdiction; set up fraudulently and in contempt of the Law, in a rash manner, a sort of an episcopal See in some place, which is in no Diocese, where they have the boldness to confer Orders, even those of Priesthood, indifferently to all that come to them, tho' they have no Testimonials from their Bishops or Prelates; so that it often happens, that the least worthy, the rudest and most ignorant, who have been refused by their own Bishops as unworthy and incapable, come to be ordained in that manner, and cannot perform their Functions afterwards as they ought, either in what relates to the holy Offices, or to the Administration of the Sacraments of the Church: None of those Bishops who are called Titulars, though they have their Residence or Abode for some time in a Place that is in no Diocese, even exempt, or in any Monastery of any Order whatsoever, shall by virtue of any Privilege which may have been granted him to ordain for a certain time, all those that shall present themselves to him, confer sacred or lesser Orders, nor even the first Tonsure, to any Person what-

soever, without the express leave of his Prelate; or Letters dimissory, under pretence of his being one of his Domesticks, eating and drinking every day at his Table. Every Bishop that shall transgress this Regulation, shall be suspended of his episcopal Functions for one Year *ipso jure*; and he that shall be so ordained, shall also be suspended from the Exercise of the Orders which he shall have received; as long as his Prelate shall think fit.

Chap. III. The Bishop may suspend for as long time as he pleases from the Exercise of their Orders, and forbid them to minister at the Altar, or to perform any Function of their Orders whatsoever; all Ecclesiasticks of his own Diocese, especially those that are in holy Orders, who without Letters of Recommendation from himself, and without having been before examin'd, shall have been ordained by any Authority whatsoever, even tho' they have been allowed to be sufficient by the Person that ordained them; if he does not find them capable to celebrate the divine Offices, and to administer the Sacraments of the Church.

Chap. IV. All Governors of Churches, who ought to be continually attentive upon correcting the Irregularities of those who are under their charge; and from whose Jurisdiction no Clergyman is exempt, under pretence of any Privilege whatsoever; so as to avoid being visited, reprimanded and chastised by them, according to the canonical Constitutions, if they reside in their Dioceses; shall, as Delegates of the holy See, have a power to correct and chastise, even out of times of Visitation, all secular Clerks in what manner soever exempt, who otherwise would have been subject to their Jurisdiction, for their Excesses, Crimes, and Misdemeanors, as often as, and whensoever there shall be occasion, all Exemptions, Declarations, Customs, Sentences, Oaths, Concordates which can be brought in bar, which can only oblige their Authors, and may be serviceable to these Ecclesiasticks, their Relations, Chaplains, Domesticks, Attornies or any other Persons whatsoever, who upon their accounts may plead Exemption, to the contrary notwithstanding.

Chap. V. Moreover, since there are divers Persons, who under pretence of having wrong done them, and of being troubled in their Goods, their Affairs and their Rights, obtain certain Judges to be deputed by Letters of Conservation, to protect them, and to defend them from these sort of Outrages and Persecutions, and to preserve and maintain them in the possession and Quasi-possession of their Goods, their Affairs, and their Rights, so as to keep them from being molested, and then abuse these Letters, and pretend to make use of them upon several occasions against the Intention of him that granted them: The Council declares, that these Letters of Conservation, upon what pretence or colour soever they may have been granted, what Judges soever may have been deputed, and what Clauses or Ordinances soever they may contain, shall be in no wise serviceable to any Person whatsoever, of what Quality or Condition soever, (even though it should be a Chapter) nor hinder his being cited and accused in criminal and mixt Causes before his Bishop or other superior Ordinary; that he may be informed and proceeded against, and may be freely brought before the ordinary Judge, if it relates to any yielded Rights which ought to be examined before him: That in civil Causes, if he shall be the Plaintiff, he shall not be allowed to bring any Man in Judgment before his Judges Conservators; and if he shall be Defendant, and the Plaintiff shall alledge that he suspects the Conservator, or there be any Dispute concerning the Competency of Jurisdiction between the Judges themselves, the Conservator and the Ordinary, they shall go on no farther in the Cause, till the Reasons of Refusal, or Competency of Jurisdiction shall have been decided by Arbitrators legally chosen for that purpose.

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Power to suspend the Clergy granted to the Bishop. Chap. III. The Bishop may suspend for as long time as he pleases from the Exercise of their Orders, and forbid them to minister at the Altar, or to perform any Function of their Orders whatsoever; all Ecclesiasticks of his own Diocess, especially those that are in holy Orders, who without Letters of Recommendation from himself, and without having been before examin'd, shall have been ordained by any Authority whatsoever, even tho' they have been allowed to be sufficient by the Person that ordained them; if he does not find them capable to celebrate the divine Offices, and to administer the Sacraments of the Church.

No Clergyman exempt from the Visitation of his Bishop. Chap. IV. All Governors of Churches, who ought to be continually attentive upon correcting the Irregularities of those who are under their charge; and from whose Jurisdiction no Clergyman is exempt, under pretence of any Privilege whatsoever; so as to avoid being visited, reprimanded and chastised by them, according to the canonical Constitutions, if they reside in their Dioceses; shall, as Delegates of the holy See, have a power to correct and chastise, even out of times of Visitation, all secular Clerks in what manner soever exempt, who otherwise would have been subject to their Jurisdiction, for their Excesses, Crimes, and Misdemeanors, as often as, and whensoever there shall be occasion, all Exemptions, Declarations, Customs, Sentences, Oaths, Concordates which can be brought in bar, which can only oblige their Authors, and may be serviceable to these Ecclesiasticks, their Relations, Chaplains, Domesticks, Attornies or any other Persons whatsoever, who upon their accounts may plead Exemption, to the contrary notwithstanding.

Regulation concerning Judges Conservators. Chap. V. Moreover, since there are divers Persons, who under pretence of having wrong done them, and of being troubled in their Goods, their Affairs and their Rights, obtain certain Judges to be deputed by Letters of Conservation, to protect them, and to defend them from these sort of Outrages and Persecutions, and to preserve and maintain them in the possession and Quasi-possession of their Goods, their Affairs, and their Rights, so as to keep them from being molested, and then abuse these Letters, and pretend to make use of them upon several occasions against the Intention of him that granted them: The Council declares, that these Letters of Conservation, upon what pretence or colour soever they may have been granted, what Judges soever may have been deputed, and what Clauses or Ordinances soever they may contain, shall be in no wise serviceable to any Person whatsoever, of what Quality or Condition soever, (even though it should be a Chapter) nor hinder his being cited and accused in criminal and mixt Causes before his Bishop or other superior Ordinary; that he may be informed and proceeded against, and may be freely brought before the ordinary Judge, if it relates to any yielded Rights which ought to be examined before him: That in civil Causes, if he shall be the Plaintiff, he shall not be allowed to bring any Man in Judgment before his Judges Conservators; and if he shall be Defendant, and the Plaintiff shall alledge that he suspects the Conservator, or there be any Dispute concerning the Competency of Jurisdiction between the Judges themselves, the Conservator and the Ordinary, they shall go on no farther in the Cause, till the Reasons of Refusal, or Competency of Jurisdiction shall have been decided by Arbitrators legally chosen for that purpose.

As to Domesticks, who use to take advantage of these Letters of Conservation, they shall protect only two, and that too, upon condition that they live at the Expence of those that have a Right to have Judges Conservators: No Man shall enjoy the benefit of such Letters longer than five Years, and these Judges, Conservators, shall erect no formal Tribunal.

As to the Causes of those that receive Salaries, and miserable People, the Decree which the holy Council made *Session VII. Chap. XIV.* shall remain in full force. General Universities, Colleges of Doctors or Scholars, regular Places, Hospitals in which Hospitality is actually exercised, and all Persons in the same Universities, Colleges, Places and Hospitals, are not comprised in this present Ordinance; but shall continue exempt, and as such shall be reputed.

Law concerning Habits of Ecclesiasticks. Chap. VI. Tho' the Habit does not make the Monk, yet it is convenient that Churchmen should wear Habits proper for their Condition, that by the outward Decency of their Habit, the inward Purity of their Manners may appear. Now at this time, the Rashness of some, and their Contempt of Religion, are gone so far, that without any regard to their own Dignity, and the Honour of the Clergy, they are not ashamed in publick, to wear Habits which belong only to the Laity, and put (as one may say) one Foot into holy things, and another Foot into profane: For this Reason the Council ordains, that all Ecclesiasticks, let them be never so much exempt, that shall be in holy Orders, or that shall possess any Dignities, Parsonages, Offices or Benefices ecclesiastical; if after they have been admonished by the Bishop by a publick Order, do not wear their clerical Habit, suitable and proper to their Order and Dignity, pursuant to the Ordinance and Command of their Bishop, may and ought to be forced to do it by suspending them from their Office and Benefice, and by depriving them of the Fruits, Rents and Revenues of their Benefices for a certain time; and that if after they have been once reprehended, they fall into the same fault, they shall be deprived of their Offices and Benefices, according to the Constitution of *Clement V.* published in the Council of *Vienna*, which begins with these Words, *Quoniam innovando & ampliando.* In that Decretal it is said, that he that leaves the Habits proper to his Condition, and gives himself the liberty to take others, and to wear them in publick without a reasonable Cause, makes himself unworthy of enjoying the Advantages of his Profession; and it is there ordained, that every Clerk, who shall wear a striped or a parti-coloured Habit in publick, if he is beneficed, shall be deprived of the Fruits of his Benefice for six Months; and that if he is not beneficed, but is in holy Orders without being a Priest, he shall be incapacitated for six Months to hold a Benefice; and that those that are Priests or Dignitaries, that shall wear a *Mantle lined with Furs* (o), so short that the under Habit may be seen, shall within a Month be obliged to give something to the Poor.

Voluntary Homicides excluded from Orders. Chap. VII. For as much as he who treacherously and with deliberate Malice kills his Neighbour, ought by force to be torn from the Altars: Who-soever shall voluntarily murder another, though the Crime be not proved by the ordinary ways of Justice, nor be in any manner publick, but secret, can never be promoted to holy Orders; nor shall any ecclesiastical Benefice be conferred upon him, even though it be without Cure of Souls, but he shall all his Life time be excluded and deprived of all Or-

ders, Benefice and Office ecclesiastical. If it be set forth that this Manlaughter was not committed of deliberate purpose, but by accident, or *se defendendo*, repelling force with force; and that upon that account, it may be some sort of Justice to grant the Petitioner a Dispensation to be put into Orders, and to be set over the Service of the Altar, or to be admitted to all sorts of Benefices, the Cause shall be remitted to the Ordinary of the Place; or if there is cause of a Removal, to the Metropolitan, or to the nearest Bishop, who cannot grant a Dispensation till he has taken cognizance of the Fact, and examined whether the Petition and Declaration be true.

Prohibition of exercising Jurisdiction over foreign Clerks. Chap. VIII. For as much as there are Pastors, who not contenting themselves with the Government of their own Flocks, seek to enlarge their Authority over those of other Men, and sometimes concern themselves so much with Strangers, as to neglect their own People. Whosoever shall have a Privilege of punishing the Subjects of other Men, even tho' he be a Bishop, shall not proceed against Ecclesiasticks that depend not upon him, especially if they are not in holy Orders, without the Intervention of the Bishop, to whom those Ecclesiasticks belong, if he resides upon his Church, or of some other Person deputed from him, let the Crimes of which they are accused be never so heinous; otherwise the whole Proceedings, and all that shall follow upon them, shall be entirely null.

Prohibition on so unite Benefices in different Dioceses. Chap. IX. And because Dioceses and Parishes have been separated with great Right and Reason, and Pastors have been set over every Flock, and Rectors over inferior Churches, that each one should take care of his own Flock, that there may be no confusion in the ecclesiastical Order, and so the same Church be in a manner in two Dioceses at the same time, which would cause many Inconveniencies to those that should be so situated: Therefore Benefices in one Diocese, parochial Churches, perpetual Vicarages, simple Benefices, Donatives or Portions of Donatives, shall not be united to any Monastery, College or Place of Devotion, in another Diocese, not even to augment divine Service, or the number of beneficed Men, or for any other cause whatsoever; the holy Council so explaining the Decree already made concerning these sort of Unions.

Regular Benefices to be given in Title (p). Chap. X. Regular Benefices, which use to be given in Title (p), to professed religious Persons, when they shall become vacant by the Decease, or Resignation of the Incumbent or otherwise, can be given to none but religious Persons of the same Order, or to Persons who shall be absolutely obliged to take the Habit, or to make Profession, and not to others, lest they be clothed with Linsey-wolsey Garment.

Persons that remove from one Order to another, incapable of Benefices. Chap. XI. But because Regulars that pass from one Order to another, easily obtain Leave of their Superiors to live out of their Monasteries, whence they take occasion to wander about, and to apostatize: No Prelate or Superior of any Order whatsoever, shall by virtue of any Power or Faculty which he may pretend, admit and receive any Person to the Habit and Profession, unless he stay in the Order which he embraces, where he shall pass his whole Life in the Monastery, under the Obedience of his Superior; and he that shall be thus removed, though he be a Canon Regular, shall be absolutely incapable of secular Benefices, even of Cures.

[(o) In the French it is *Manteau double jusqu'au bord*. i. e. a Mantle lined quite through. This is obscure. In the original Canon, which the Council quotes, it is, *Utentes Epitogio seu Tabardo foderato*. *Epitogia* or *Tabarda*, were a sort of Sur-touts, as this Age would call them. *Foderatus* is lined with Furs, which was thought to be too gay a Habit for Churchmen, when that Constitution was made in the Council of *Vienna*. Monsieur du Pin renders *Foderatus* only Lined, and so

indeed the Word often signifies; but it is plain by this *Clementine*, and by the Canon of the Council of *Constance*, *Session 43. de Vita & Honestate Clericorum*, that lining with Furs is principally forbidden.]

[(p) i. e. Benefices to which only Friars or Monks have a Right to be instituted; namely, such as are appropriated to a Monastery or Priory.]

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Chap. XII. No Person of any Ecclesiastical or Secular Dignity whatsoever, shall by any means whatsoever obtain or get Right of Patronage, unless he builds or founds anew some Church, Benefice or Chappel, or with his proper and patrimonial Goods endow's some Church already erected, which had not a sufficient Endowment or Revenue; Institution being still reserved to the Bishop, and not to any other inferior Person in these Cases of Foundation and Endowment.

Presentation to be made to the Ordinary.

Chap. XIII. No Patron, under pretence of any Privilege whatsoever, shall be allow'd to present any Man to Benefices in his Patronage, in any man-

ner whatsoever, to any other than the ordinary Bishop of the Place, to whom Provision or Institution to that Benefice would of right belong, if there were no Privilege; otherwise the Presentation and Institution subsequent thereupon, shall be null, and reputed so.

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After the reading of these Canons, comes the Declaration of the Council, that in the next Session, to be held, as already Decreed, upon *January 25. 1552.* the Sacrifice of the *Mass*, and the Sacrament of Order, shall be treated of, and the Matter of Confirmation pursued.

Matter of the next Session.

CHAPTER IX.

The History of what past from the Fourteenth Session, to the Suspension of the Council.

Articles of the next Session.

THE Day after the fourteenth Session, a general Congregation was held, to settle the Decrees of the next Session; they were almost all formed already for the Session of *October 11.* however they were resumed again, and seven Articles proposed, on which they disputed twice a Day. After that, they deputed some other Prelates to draw up the Decree; among whom, to content the *Germans*, were nominated, the Bishop of *Zagabria* or *Agram*, the Capital of *Croatia*, Ambassador from *Ferdinand*, King of the *Romans*; *Julius Pflugius*, Bishop of *Naumbourg*; and the Elector of *Cologne*.

Demand of the Ambassadors of the Duke of Wirtemberg.

At that time, the Ambassadors of the Duke of *Wirtemberg*, who came to *Trent* some Days before, Addressed themselves to the Cardinal of *Trent*, to desire him to persuade the Presidents of the Council to receive their Credentials, and to give them Audience in the Assembly of the Fathers. This Cardinal promised to serve them; but told them that he must first inform the Legate of their Commission, according to the Order made by the Fathers, by reason of the Surprize they were lately put into, when having admitted *Amyot* into one of their Sessions, he entered a Protestation in the Name of the King his Master, against the Council then assembled. They communicated their Instructions to him, saying, they were sent to obtain for their Divines a safe Conduct, like that given by the Council of *Basil*; and they had Orders to present their Confession of Faith to the Fathers, to be examined, till their Master's Divines should come and confer with them.

Legate's Answer

The Cardinal having acquainted the Legate with all this, he told him, that he had received Orders from the Pope, not to suffer these Ambassadors, nor the other Protestants, to present their Confession of Faith, much less to defend it, because then they should never have done; and it was the Duty of the Fathers, only to examine the Doctrine taken out of the Protestants Books, and to condemn their Errors as had been done: That if the Protestants humbly proposed their Difficulties with a Design to be instructed, the Council would then give them Audience. He concluded, saying, he would sooner lose his Life, then ever suffer the Fathers to meet to receive the Protestants Confession of Faith; and as to the safe Conduct which they demanded, they could not put a greater Affront upon the Council, than not to trust it, after what had been already granted.

The Cardinal of *Trent*, not being willing to give so crude an Answer to the Duke of *Wirtemberg's* Ambassadors, told them only, that the Legate was

not well pleased with the Proposition which they made, to begin with their presenting their Confession of Faith; because it did not belong to them, to prescribe a Rule of Faith to their Superiors, from whom they ought to receive it; that he advised them to wait, and to make another more agreeable Proposition; that afterwards they might come and desire another safe Conduct, and that their Doctrine should be presented to the Council. The Ambassadors seemed to submit to his Opinion; but some Days after, the Cardinal of *Trent* being gone out of Town, they tried the Emperor's Ambassador's Credit to persuade the Legate to hearken to their Propositions. But that Ambassador not getting any other Answer from the Legate, than what he had made to the Cardinal of *Trent*, durst not explain himself openly to these Ambassadors, who easily found out the Reasons.

At the same time the Ambassadors of *Strasburg*, *Ambassadors from* *Esslingen*, *Ravensburg*, *Roetlingen*, *Bibrach* and *Lin-dors* came to *Trent*, to present likewise their Confession of Faith, and Addressed themselves to *William of Poitiers*, the Emperor's third Ambassador, who took their Instructions, and demanded some Days of them, that he might know of his Imperial Majesty, how he should behave himself towards the Legate. The Emperor sent back Word to *Poitiers*, that these Ambassadors should stay till the *Saxon* Ambassadors came, who would quickly be at *Trent*; assuring them that then they should be heard, and that the Fathers would confer amicably with them.

Nov. 25. The Pope made 14 Cardinals, among whom were Two of his Nephew's; one of whom was but 13 Years old; a very numerous Promotion, whereby the sacred College was composed of 48 Cardinals, which was an excessive number in those Days.

Dec. 13. 1551. *Maximilian*, Son of *Ferdinand*, King of the *Romans*, past through *Trent*: The Protestant Ambassadors went to wait upon him, complaining, that notwithstanding all the Emperor's Promises, they could not get an Audience of the Legate; and conjuring him to have Compassion upon the Miseries of *Germany*, of which the Fathers of the Council were insensible, and which they made incurable, by precipitating their Anathema's, which served only to make them the more irreconcilable. *Maximilian* exhorted them to be patient, and promised to solicit the Emperor powerfully to take care, that things might go in the Council as he had promised them they should.

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Congregations concerning Reformation.

In the mean time the Prelates kept on their Congregations upon the Matters which were to be proposed next Session; and the Legate having a Mind to move in the Congregation of November 25. that no Bishoprick should be given in Commendam, but to Persons of a competent Age, several Prelates remonstrated, that the inserting that Article, would be tacitly to approve of Bishopricks being given in Commendam to Cardinals, and to other Persons of such an Age. *Nicholas Pfaulme*, Bishop of *Verdun*, having said, that this Article in his Opinion looked ill, and that it was but a *Pretended Reformation*, which they designed to make; the Word *Pretended Reformation*, angered the Legate to that Degree, that he gave very rough and very offensive Language to that Bishop.

In that Congregation *Vargas* presented a Memorial against the Abuses of the Immunities granted to those that had the Tonsure; whereby he gave them to understand, that the greatest Differences which arise between the ecclesiastical and secular Power, come from Immunities granted to Clerks that abuse them; and that to stop their Progress, it would be advisable to give the Tonsure only with Sub-Deacons Orders; and that if it were done otherwise, that those who might receive the Tonsure, should not enjoy the Privileges of Clerks, unless they actually served the Church: And that it might be concluded, that they sought not this Ministry with a View of its Privileges, and that they might commit Crimes under Shelter of the Immunities granted to the Clergy, he added also, that this ought to be extended to those who had the Tonsure already.

Arrival of the Elector of Saxony's Ambassadors at Trent, and their Propositions.

Jan. 7. 1552. *Wolfius Celer* and *Leonardus Baderhornius*, Ambassadors of *Maurice* Elector of *Saxony*, came to *Trent*: They began to treat, at first, with the Emperor's Ambassadors, saying, that since their Master desired nothing but Concord, he was resolved to send some Divines to the Council, pious Men, and lovers of Peace: And, that other Protestant Princes would do the same thing by his Example, but then they must have a safe Conduct, like that given by the Council of *Basil*: Matters now on foot must be suspended till they come; and then the things already decided must be examined anew with them, since there is no general Council which is not composed of all Nations. They demanded likewise, that the Pope might not have Authority to preside in Councils, but should be obedient like the rest, and absolve the Bishops of their Oath, that their Votes might be free. The Imperialists gave them good Words, and gave them all manner of good Usage, as the Emperor had commanded. These Ambassadors waited upon the three Ecclesiastical Electors, and the Cardinal of *Trent*, with whom they conferred; but they would not pay a Visit to Cardinal *Crescentino* and his Colleagues, lest they should seem to own the presidency of the Pope. After that, they demanded publick Audience. The Legate, who had till then refused it to the other Ambassadors, promised it to them, upon the Orders which he had received from the Pope: But then he required it as a condition, that they should own him and his Colleagues as Presidents of the Council; if not, he declared, he would retire, and dismiss all the Fathers. This Condition being entirely contrary to the Ambassadors Instructions, and it being manifest on the other side, that the Cardinal Legate would not otherwise give them a publick Audience; an Expedient was found, which was, that it should be given them, not in a Session, but in a general Congregation, which should be held in the Legate's Palace.

The Emperor's Ambassadors remonstrated, in a Congregation, that it was not enough to give Audience to the Ambassadors of the Protestant Princes, but, that what could be granted them in that Audience, ought to be first regulated, that so it might be of some Advantage: And first, they demanded, that the Matters to be examined in the next Session,

might be suspended. This the Legate seem'd to be averse to at first, but at last he yielded to the Opinion of the Bishop of *Verona*, who represented, that they ought not, by refusing a Delay of a few Days, to draw upon the Pope and Council the blame of letting slip an Opportunity of reducing the Protestants. These same Ambassadors of the Emperor desir'd the Congregation to put into their hands the new safe Conduct which they were willing to give the Protestants, that when they had accepted it, it might be publish'd next Session; which was granted.

Peter Tagliavia, Archbishop of *Palermo*, remonstrated to the Congregation, that they had omitted to regulate one Essential Business, which was, how they should behave themselves towards the Protestant Ambassadors about their Place: For to give them none, would be to affront their Masters, and break off the Negotiation; and to give them any, would be to honour Hereticks, and to treat them otherwise than Criminals ought to be treated. This Proposition was long debated: At last, *Julius Pflugius*, Bishop of *Naumbourg*, to draw the Fathers out of the Perplexity they were in, said, that Necessity excuses all Transgressions: That all the Considerations they alledged, had been made before in the Diets of *Germany*, where it was carried in favour of the Protestants: That if they would hinder their taking any Advantage of the Honour that should be done them, they needed only to protest, that they admitted them into the Council, only out of a Spirit of Charity, to bring them back to the Faith; and that without doing any Prejudice to a General Council. This Opinion was follow'd by the Majority, and pass'd against the Legate's Will, who shewed, that he yielded only to Force and to Necessity.

Some Days after, the Minute of the safe Conduct was put into the hands of *William of Poitiers*, one of the Emperor's Ambassadors, to be communicated to the Protestants, who were not satisfy'd with it, not finding it to be conformable to that given by the Council of *Basil*, which granted four things more to the *Bohemians*: 1. A Deliberative Voice. 2. Decision of Matters by the Holy Scriptures, by the Practice of the primitive Church, by Councils, and by Interpreters that agree with the Scripture. 3. Exercise of their Religion in their Houses. 4. Security that nothing should be done in Contempt of their Religion. And besides, the Council did not promise them Security in the Name of the Pope and of the sacred College, as the Council of *Basil* had done.

When the Emperor's Ambassadors gave back to the Presidents the Minute of the safe Conduct, they told them, that nothing could be done, of more Advantage to the publick Good, than to take away from Protestants all Pretences of Excuse not to come to the Council; and therefore they had nothing else to do, but to give them a safe Conduct upon the foot of that given by the Council of *Basil*. The Presidents answer'd, that theirs was the same in Substance with that of *Basil*; If so, replied the Count de *Montfort*, you need only transcribe it Word for Word, changing only Names of Persons and Places, and Dates, and then you will stop the Protestants Mouths. The Presidents were confounded with this Answer, when the Legate gave them ease, by saying, they would propose it to the Fathers in a Congregation, who should determine it as they pleased. After that, the Presidents engaged all their Friends to make no Alterations in the Minute of the safe Conduct, and to stand by it in the general Congregation, which was to be held upon the 24th. of this Instant, in which the Ambassadors of the Protestants were to have Audience.

Every thing being thus ordered, Jan. 24. 1552. General the Electors and all the Fathers came to the Legate's Palace, with the Ambassadors of the Emperor, and the King of the *Romans*. The Legate opened the Congregation with a short Discourse wherein he acquainted

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General Congregation before the session.

The History of the Council of Trent. acquainted the Fathers, that they were met upon the nicest and the most dangerous Negotiation that had been known in the Church for several Ages; and, that they ought to pray to God, with more Fervor than ever, to obtain good Success. After they had invoked the Holy Spirit, the Protestation was read. All the Fathers having approved it, the Promoter demanded it to be registred, and that a publick Act be made of it. The Substance of it was, that the Fathers, not being willing to hinder the Progress of the Council, by any Disputes that might arise, if they should come formally to examine what sort of Persons, Powers, and Regulations, the Council might receive, declared, that if they admitted any Man in person, or by his Proxy, who, by the Disposition and Custom of Councils, ought to be excluded; and if they assigned them any Place which was not their due; or if they received the Powers of the Protestants, or other like Writings, which offended, or might offend the Authority of the Council; this did it not, nor could do it any prejudice, nor to any other general Councils which might be held hereafter; the Fathers having no other Intentions, but to restore Peace and Concord to the Church, at any Price whatsoever, provided the Manner be just and reasonable.

Discourse of the Elector of Saxony's Ambassador. After this, the Saxon Ambassadors were introduced into the Assembly, where *Badebornius*, addressing his Speech to the Fathers, spake to them thus: Most reverend and illustrious Fathers and Lords, *Maurice* Elector of Saxony, after having wish'd you the Assistance of the Holy Spirit, and a happy Issue of this present Affair, acquaints you, that he has long resolv'd, that if ever a general, free, and Christian Council were held, in which, the Controversies concerning Religion should be decided by Scripture, in which every Man might have liberty to speak, and the Head and Members should be reformed, that he would send his Divines to it: That believing you to be assembled for this purpose, he had commanded his Divines to choose some out of their Body, to carry their Confession to the Council; which thing was not yet executed, because of a certain Declaration of the Council of *Constance*, which asserts, that Faith is not to be kept with Hereticks, or Persons suspected of Heresie, tho' they be strengthened by safe Conducts of Emperors or Kings: That for this Reason, *Maurice*, guiding himself by the Example of the *Bohemians*, who would never go to *Basil* without a safe Conduct from the Council there assembled, demanded a like one for his Divines, Counsellors and Domesticks: But that which you have offered to his Electoral Highness, being very different, his Divines believ'd it might be dangerous for them to come; especially when they see, by the Decrees that are already printed, that they pass there for Hereticks and Schismatics, tho' they have been neither called nor heard. His Electoral Highness therefore prays you to hold his Subjects excused, and to give them such a safe Conduct as the Council of *Basil*: And since he understands, that the Council intends to proceed to decide disputed Points, against all divine and human Laws, his Divines not being able to appear, for want of a safe Conduct, he desires, that such Decision may be deferred till their Arrival; which shall be speedy, since they are but twenty Leagues off. Besides, his Electoral Highness, knowing that they will not hear the Protestants upon the Articles already decided, tho' there are some which contain great Errors, demands, that they may be examined in the Presence of his Divines, and that they may be then decided, according to the Word of God, and the Belief of all Christian Nations; considering, that these controverted Points have only been decided by a part of those who ought to assist at a general Council, as may be seen by the printed Catalogue of their

Names; tho' it be a thing essential to a general Council, that all Nations be admitted to it, and have a liberty of speaking in it: That the Councils of *Basil* and *Constance* having determin'd, that the Pope is subject to a Council in Matters of Faith, it was just to keep to that Decision, and to observe, upon this occasion, the Constitution made in the third Session of the Council of *Basil*, which absolves the Fathers of that Council from their Oath to the Pope, in what concerns the Council it self: That his Electoral Highness believ'd, that the Fathers at *Trent* ought to be free from their Oath, by virtue of these Ordinances, without making any new Declaration; and therefore, above all things, prayed them to ratify and approve the Article of the Superiority of the Council, and the rather, because the ecclesiastical Order stands in need of Reformation, which the Popes have always hindered; so that Abuses cannot be corrected, so long as the Fathers shall depend upon the Will of the Pope, and shall be oblig'd by their Oaths to keep up his Credit and Power: That if the Pope could resolve willingly to absolve the Bishops of their Oaths, it would be an Action worthy of eternal Commendation, and would bring the Council into Reputation, and give Vigor to its Decrees, as made by Men that were free, and who gave Sentence according to the Word of Jesus Christ. Last of all (added he) his Electoral Highness prays you to take this Declaration in good part, since it springs only from a Concern for his own Salvation, and a Desire to see his Country and all *Christendom* in Peace.

When *Badebornius* had finished his Discourse, he put a Copy into the Hands of the Secretary of the Council; and the Promoter answered him, in the Name of all the Fathers, that the Council would examine his Demands, and then give him an Answer.

The *Wirtemberg* Ambassadors had been heard in the Morning; and after their Letters of Credence and Powers were read, they said, in few Words, that they would present their Confession of Faith; and that their Divines would come and defend it, and treat more amply of their Doctrine, provided that both Parties would agree upon judges to make an end of these Controversies; and so much the more, because their Doctrine, being contrary to that of the Pope, and the Bishops his Adherents, it would be unjust that either of the Parties should be Judge in his own Cause: That therefore they demanded, that the former Decrees should not have the Force of Laws; and, that all that had hitherto been treated of, might be re-examined, it not being just, that what one side had done, when the other side was absent upon a lawful Cause, should be of any Authority; and that it was easie to shew, that what had been published in the first and last Sessions was contrary to Scripture. Then they put their Confession and this Discourse into the Secretary's Hands; and the Promoter told them, that the Fathers would return them an Answer as soon as it should be convenient. When the Ambassadors were withdrawn, the President set forth the Reasons which the Protestants had, not to be contented with the safe Conduct which the Council was willing to give them, and ordered the Fathers to debate that Matter. They all unanimously voted, that the Minure which had been shewn to them, ought not to be changed, for fear of entring into endless Disputes and new Difficulties.

Jan. 25. 1552. the Fathers of the Council went to the Church, to hold the fifteenth Session. When *Astasio Gherardini*, Bishop of *Catanea*, had celebrated Mass, and *John Baptista Campeggio*, Bishop of *Majorca*, had preached, the following Decree for proroguing the Session was read.

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The holy general Council, having, in pursuance of the Orders of the last Sessions, treated with great Care and Exactness, these last Days, of Matters relating to the most holy Sacrifice of the Mass, and the Sacrament of Order; so as to have been able in this Day's Session, according to what the Holy Ghost should have suggested, to have published Decrees upon these Points; as also the four Articles relating to the most holy Sacrament of the Eucharist, which had been put off to this Session; out of an opinion, that those that call themselves Protestants, for whose sake the Publication of these Articles was deferred, would have come to this holy Council, having granted them a safe Conduct, that they might have come freely, and without any delay: However, seeing they are not yet come, and that the holy Council has been petitioned in their Name, to defer the Publication that should have been made to day, to the next Session, in certain Hope which has been given, on their Part, that they will not fail to come hither before the Time of that Session, provided a safe Conduct be sent them in a more ample Form; the holy Council wishing nothing more ardently, than to remove from the most noble Nation of the *Germans*, all Dissentions and Schisms about Religion, and to provide for its Tranquility, Peace, and Quiet; and being ready, if they come, to receive them with Humanity, and to hear them with Mildness, in confidence that they will not come with a design obstinately to oppose the catholick Faith, but with a desire to know the Truth; and that they will at last submit to the Discipline and Decree of the holy Church, as Persons ought to do who profess to love evangelical Truth; has put off the next Session, wherein it will publish the above mentioned Decrees, to the Day and Feast of St. *Joseph*, being the 19th. of *March*, that the Protestants may have time enough, not only to come hither, but to propose, before that Day, whatsoever they shall have a mind: And, to take away all pretence of Delay, the Council grants them a safe Conduct, a Copy whereof is hereunto annexed. It orders, in the mean time, the Sacrament of Marriage to be treated of, that it may pronounce upon it; besides the publishing the other Decrees mentioned already; and also, that the business of Reformation shall still be carried on. The safe Conduct follows.

Safe Conduct.

The holy Council, according to the Terms of the safe Conduct granted last Session save one, and enlarging them in the form and manner following, certifies and declares, that it has given and granted, and does by these Presents give and grant, a publick, full, and entire Liberty, which is commonly called a safe Conduct, to all and every, Priests, Electors, Princes, Dukes, Marquisses, Barons, Nobles, military Men, common People, and all others of what State, Condition and Quality soever they be, of the Country and Nation of *Germany*; as also to the Cities and other Places that depend upon them, and to all other Persons ecclesiastical and secular, particularly of the Confession of *Augsburg*, that shall come with them to this general Council of *Trent*, or shall be sent thither, who shall be upon the Road to come thither, or who are come already, under whatsoever Name they may be comprehended, to come freely to this City of *Trent*, here to stay, abide and sojourn; as also, here to propose, treat of, examine, and discuss with the Council it self all sorts of Matters; to present and advance, with the utmost Liberty, either by Writing, or *Vivâ voce*, all such Things and Articles as they shall please; to explain, maintain, and defend them by the holy Scriptures, and by the Words, Passages and Reasons of the holy Fathers; and also to answer the Objections of the general Council; to dispute and confer charitably with those who shall

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be chosen for that purpose by the Council, without any Hindrance, and without any Reproaches, Injuries or Invectives: Intending for that purpose, above all things, that the Matters which are in debate shall be treated of in the present Council according to the holy Scriptures, apostolical Traditions, approved Councils, the unanimous Belief of the catholick Church, and the Authorities of the holy Fathers; and adding particularly hereunto, that the Persons mentioned shall not be punished in any manner under pretence of Religion, or Offences already committed, or to be committed upon that account; as also, that upon the account of their Presence, neither upon the Road, nor in any other place, coming, sojourning, or returning, nor in the City of *Trent* it self, divine Service shall be interrupted in any manner whatsoever. And if, when these Matters are concluded, or before they are concluded, they or any of them, by his or their own proper Motion, or by Order or Leave from his or their Superiors, shall desire to withdraw; the Council consents, that they shall forthwith return freely and safely, according to their own good Pleasure, without starting any Obstacle, Incident or Delay, as well against their Persons, as any of their Train, and against all that may belong to them, without doing any prejudice to their Honour or Persons respectively; upon condition nevertheless, that they shall notify their Departure to the Deputies of the Council, that so, without Delay, Fraud, or Treachery, their Safety may be provided for. The holy Council also willeth and intendeth, that all Causes in general whatsoever, necessary and essential to a full, entire and sufficient Security, both for going and sojourning, and for returning home, are comprehended, included, and understood to be included in the present safe Conduct. It declareth moreover expressly, for the greater Security, and for the good of Peace and general Re-union, that in case it happens, which God forbid, that any one of them, either upon the Road coming to this City of *Trent*, or during his Stay, or in his Return, shall commit any heinous Crime, by consequence of which the Favour of this Liberty granted unto them may be revoked and annulled; it willeth and consenteth, that the Criminals, who shall be taken in such Crimes, shall be punished without delay, by themselves only, and not by others, with a proper and a proportionable Chastisement and Punishment, with which the Council has just reason to be satisfied and contented, without bringing any prejudice to the safe Conduct, which shall remain entire according to its Form and Tenor. The holy Council also reciprocally willeth and intendeth, that in case any of the Assembly, upon the Road, or during their Stay, or in their Return, shall commit or do any thing (which God forbid) that may hurt or violate in any manner whatsoever the Liberty granted by this safe Conduct, that the Criminals, who shall be taken in such Crimes, shall be punished without delay by the Council only, and not by others, with a proper Punishment and a proportionable Chastisement, with which the *Germans* of the Confession of *Augsburg*, that shall be there at that time, shall be satisfied and contented on their part, without bringing any prejudice to the present safe Conduct. which shall remain entire according to its Form and Tenor. The present Council moreover willeth, that all and every of the Ambassadors have leave to go out of this City of *Trent*, to take the Air, as often as, and whensoever it shall be necessary, or shall seem good to them; and to return again: To send also and dispatch, with all Liberty, their Couriers, according to the Necessity of their Affairs, to whatsoever Places they please, and to receive those that shall be sent and dispatched to them; but in such a manner, as that some Persons shall go along with them in the Council's

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cil's Name to provide for their Safety. The present safe Conduct shall continue and have place, from and during all the time that they shall be received into the Charge and Safe-guard of the said Council, and its People, 'till they be conducted to *Trent*; and during all the time they shall stay there, and after they have had sufficient Audiences, and have stay'd twenty Days besides, if they shall desire to return, or when the Council, after having heard them, shall give them notice to withdraw, it shall conduct them, by the help of God, from *Trent*, to what Place of Safety every Man shall choose; all without Fraud and Surprize. All which things it promises to be inviolably kept and fulfilled, and answers *bonâ fide* for all and every of Christian People, for all Princes and other Persons, as well ecclesiastical as secular, of what state and condition soever they be, and under what Names soever they may be comprehended.

The holy Council moreover declareth, and sincerely and *bonâ fide* promiseth, that it will never directly nor indirectly seek any occasion, nor will take any advantage, or allow any Person to take the advantage of any Authority, Power, Right, Statute, Privilege, Law, Canon, and Council whatsoever, particularly those of *Constance* and *Sienne*, under what precise Terms soever they may be conceived in prejudice of this publick Faith, full Assurance and free Audience which the Council alloweth them; revoking, on this occasion and for this time, all the things above expressed: And if the Council, or any one of those that compose it, or of their Retinue, of what State, Condition and Dignity soever they be, shall violate (which God avert) the present safe Conduct in the Form and Tenor in which it is drawn, or any one of its Clauses and Conditions, and there be not made a quick Punishment, to the just and reasonable Satisfaction of the Parties concerned; let them hold, and let it be permitted them to hold the present Council to have incurred all the Penalties by the Laws of God and Man, or by Custom they incur, who violate the Faith of safe Conducts, without allowing of any Excuse upon their account.

Answer to Ambassadors of the Protestants.

When the Session was over, authentick Copies of the safe Conduct were given to the Emperor's Ambassadors to put into the Hands of the Ambassadors of *Saxony*, *Wirtemberg* and *Strasburg*. These Ambassadors having read the safe Conduct, said, they took it only to send it to their Masters; complaining, that they had broken their Word with them, especially about the manner of proceeding in the Council. The Imperialists answer'd, they must have Patience; that in a short time they should have all they ask'd for; and that, as to the Method of speaking and disputing, the Council agreed with them, to receive the holy Scriptures as the Foundation; only pretended to judge of its Sense, considering that the Scripture is dumb and lifeless, and wants, as well as civil Laws, a Judge to animate it, and that in all Ages Councils have been Judges of the Sense of the Scriptures.

In the mean time the Prelates examin'd in the Congregations the Points which were to be decided next Session. The Protestants complain'd to the Emperor's Ambassador, who wrote to his Imperial Majesty, who dispatch'd a Courier to command the Prelates his Subjects not to go to Congregations, to treat of Matters of Religion, till the Protestant Divines should come to *Trent*; and that in case the other Prelates should continue to assemble upon those Matters, publickly to protest against them. This Order of the Emperor's had such Effect at *Trent*, that in a general Congregation held upon this Subject, it was resolved to suspend all Business, but only so long as the Council should please.

About the end of *February*, 1552, the *Saxon* Ambassadors receiv'd Orders from their Master, to con-

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tinue their Sollicitations with the Fathers, and to tell them, that the Elector was disposed to go to the Emperor. This news, at first, gave them Hopes of some Accommodation; but a few Days after, they heard that the King of *France* had made a League with the Protestants against the Emperor. The Electors of *Mentz* and *Cologne* went from *Trent*; and the Ambassadors of the Protestants being afraid for themselves, withdrew likewise secretly, and returned Home by different Roads. At the same time, four Divines from *Wirtemberg* and two from *Strasbourg* came to the Council, and desir'd the Imperialists so to order it, that the Council might give an Answer to the Proposition which had been made to it, and might begin to treat with them. The Legate made answer to the Emperor's Ambassadors, that the Day of the Session coming on, several things were to be regulated; one whereof was, to find out a Way how they might negotiate together. Accordingly that Day he held a Congregation in his own Palace, wherein it was resolved to defer the Session to the first of *May*. The *Portuguese* Ambassadors, *James Silva*, *James Govea*, and *John Paetz*, presented their Powers to the Congregation, and made a Harangue, which was answer'd with thanks to the King of *Portugal*, and with Compliments to his Ambassadors. Those of *Wirtemberg* seeing there was no Answer made to their Propositions, and that the Legate kept the Confession of Faith which they presented to him very secret, dispersed printed Copies of it, which made a great Noise.

The Council disturbed by the War.

April 1. the Elector of *Saxony* besieg'd the City of *Augsbourg*, which surrender'd upon the 3d. and the 6th. of the same Month the News of it came to *Trent*, as also, that all *Tirol* was in Arms to send Troops to *Inspruck*; whereat the *Italian* Prelates being alarm'd, embark'd upon the *Adige* to go to *Verona*; and the Protestants retired. The Nuncio's, who were afraid of being alone at *Trent*, if they should stay till the Day of the Session, and so be answerable for whatsoever might happen, (for the Legate was fall'n sick, and not able to assist them by his Advice, being delirious) wrote to the Pope, to know of him what they were to do in this troublesome Conjunction. The Pope called a Congregation of Cardinals, in which he propos'd the Nuncio's Message: The Majority being for a suspension, a Bull was sent to the Nuncio's; and the Pope wrote to them, that if they saw there were any pressing Necessity to suspend the Council, they should do it quickly, only for a time. The Nuncio's having receiv'd the Pope's Answer, kept it private, to see how Men were disposed; but when they saw that all the Prelates were apprehensive that the Protestants Fury would fall upon them, they consented to a Suspension: Accordingly the Nuncio's appointed the Session upon *April* 28. Fear not permitting them to stay till *May-day*.

Session XVI. Suspension of the Council.

There were very few Prelates at this sixteenth Session; in which the Secretary of the Council caus'd the following Decree to be read: 'The Holy, General and Oecumenical Council of *Trent*, in which Sebastian Archbishop of *Siponto*, and Aloysius Bishop of *Verona*, Apostolical Nuncio's preside, both in their own Names, and in the Name of the most Illustrious Cardinal *Crescentius*, Legate a Latere, who is Absent by reason of Sickness, not doubting but all Christians know that the Council of *Trent* was first called and held under *Paul III.* and afterwards under *Julius III.* at the Desire of the Emperor *Charles V.* to restore Religion, especially in *Germany*, and to reform Manners and Abuses; and that several Prelates have come thither from several Countries, without being terrified with Fatigues or Danger: So that this great Work was prosperously begun, and the Fathers promised themselves, that the *Germans*, Authors of all these present Innovations, would come with a Resolution of yielding to the Reasons of the Church; but that the Malice of the Enemy of Mankind had

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raised new Troubles, and kindled Wars, which constrained the Council to interrupt its Course, which has lost all Hopes of being able to make a great Progress, and is affraid of provoking Mens Minds, rather than softning them: Now, since they see Discord every where, but chiefly in Germany, where all is in a Flame, and that almost all the Prelates of that Nation, and particularly the Archbishop's Electors had left the Council to go and look after their Churches; the Fathers are at last resolved, not to oppose so pressing a Necessity any more, but to leave all to a better Time: For which Reason they have suspended the Council for two Years; but so, that if the Troubles cease before, the Council shall be look'd upon to be restored in its Primitive Force and Vigour: Whereas, if these Impediments shall continue at the End of two Years, the Suspension shall not be judged to be removed till these Impediments are ceased; and that in that Case there shall be no need of calling it anew, such being the Pleasure of the Pope and the Holy See: Exhorting however all Christian Princes and all Prelates, to observe, and cause to be kept, in their States and Churches; all the Decrees hitherto made by the Council.

This Decree was approved by the Italian Bishops; but the Spaniards, who were about twelve, said, that the Danger was not so great as they made it: That the Emperor, who was at *Innsbruck*, would dissipate all these Troubles by his Courage, and acquaint them with his Intentions in a short time, being now but three Days Journey from *Trent*. This being opposed by the Italians, they protested against so absolute a Suspension; and the Archbishop of *Siponto* dismissed the Fathers with the Pope's Blessing.

The Nuncio's were blamed at *Rome* for the latter part of this Decree, which prescribed the Execution of the Decrees, without desiring the Confirmation of the Holy See; because it was believed there, that the Pope's Authority was wounded thereby.

The Italians were very well pleased that they were gone from *Trent*: For the Protestants came near to *Innsbruck*, and forced the Emperor to fly by Night, with all his Court, and to get over the Mountains of *Trent*, not knowing whither to go. Fear had so far seized him, that he could not trust the Assurances which the Republick of *Venice* gave him, that the Militia, which they had sent to guard their Frontiers, was also at his Imperial Majesty's Service: When the Protestants enter'd *Innsbruck*, they seized upon all that belong'd to the Emperor and his Train. At last, in the Beginning of *August*, 1552, a Peace was concluded at *Passaw*; and it was resolved, that within six Months a Diet should be held, in which it should be decided which should be best, to determine the Differences of Religion; a general Council, or a National; a Colloquy, or a general Diet of the Empire: That on both sides an equal Number of pious, peaceable. and prudent Men, should be chosen, who should be entrusted to seek out and propose proper Methods of Re-union; but so, as that during all that time, neither the Emperor, nor any other Prince whatsoever, should force the Conscience or the Will of any Person whatsoever, in Matters of Religion, by ways of Law or Force; and that the Emperor should suffer every Man to live at quiet: That the Princes of the Confession of *Augsburg* likewise should not disquiet nor trouble any Ecclesiastical or Secular Persons of the old Religion, neither in their Lordships, Jurisdictions and Pre-eminences, nor in their Ceremonies: That the Imperial Chamber shall administer Justice to both, without any regard to their Religion, and without excluding those of the Confession of *Augsburg* from the Places which belong to them amongst the Assessors. But notwithstanding this Treaty of Peace, the War continued still between several Princes and Cities of the Empire: So that the Diet, which was proposed from one Year to another, was not held till *February* 1555.

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CHAP. X.

Alteration of Religion in England, under Edward VI. Re-establishment of the Catholick Religion under Queen Mary.

Government of England, under Edward VI.

After the Death of *Henry VIII.* King of England, Religion changed its Face almost totally in that Kingdom, during the Reign of his Son *Edward VI.* who succeeded him. He was Son of *Jane Seymour*, and was but nine Years, three Months, and some Days old, when he was proclaimed King, *January* 31. 1547. *Henry* had made a Will, whereby he nominated sixteen Lords to execute his last Will, and to be Governors of his Son, and Regents of the Kingdom, during his Minority. The first step which the Council of England made after his Death, was to alter the Disposition of his Will, by declaring *Edward Seymour*, the King's Uncle by the Mother's side, then Earl of *Hertford*, and soon after Duke of *Somerset*, sole Protector of the Kingdom, and Governor of the young King: He was also made Lord High Treasurer, and Earl-Marshal of England; so that in his Person, the most eminent Dignities of the State were join'd; and consequently he seem'd only to want the Name of King, though it was ordered, that he should do nothing without the Advice of the other Executors.

Inclination of the Government for the new Religion.

The Protector having espoused the Opinions of the pretended Reformers, resolved to overturn the

ancient Religion of the Kingdom entirely, and to establish the pretended new Reformation in its stead. He began with ordering the Bishops to take out new Commissions from the King, to exercise their Jurisdictions, and ordain in their Dioceses, as long as his Majesty should please. *Crammer*, Archbishop of *Canterbury*, was the first that submitted to this Law; and others were constrained to comply with it: But it was not followed in future Promotions; and Bishopricks were given for Life, as before.

When the People knew the Inclination of the Court concerning Religion, Images were quickly pulled down in several Places, Temples rifled and prophaned, Pulpits filled with Preachers that preached *Lutheranism* and *Zuinglianism*, and the Publick filled with Books against the Doctrine of the Church. The Archbishop of *Canterbury*, and some others openly favoured the Alteration of Religion; others had not Strength to oppose it. Doctor *Cox*, and *Cheek* a Minister, (a) Preceptors to King *Edward*, took care to inspire him with these new Sentiments. And there were several German and Swiss Ministers then Refugees in England, who laboured vehemently to establish their Doctrine.

Disposition of the People to receive the new Religion.

(a) Le Ministre *Cheek*, says our Author. Sir *John Cheek* was never in Orders: He was knighted by King *Edward VI.*

Things being in this Posture, the King followed Henry VIII's Example, and sent Visitors into every County of the Kingdom, with Injunctions and Articles; and in the mean time forbade the Archbishops, Bishops, and other ecclesiastical Persons, to exercise any Jurisdiction, or even to preach any where, but in their own Churches, as long as the Visitation lasted. Homilies were drawn up to be preached to the People, and care was taken to send Preachers, who should teach the new Doctrine, along with the Visitors, who might be protected by them. Among the Injunctions given to the Visitors, one was, To cause Images to be pulled down, (r) to prohibit Processions round the Churches, and to recommend the Celebration of no other Festivals but the (s) Holy-Day. The Form of Prayer for the dead was altered, and Grace was barely desired of God, That the Souls of the dead, and those that shall pray for them, may enter into everlasting Rest together, at the Day of Judgment. The other Articles of these Injunctions contained useful Regulations, which did not strike at other Usages of the Church. The Bishops were commanded to cause these Regulations, which were carried over all the Kingdom by the Visitors, to be observed; and all the Bishops in England submitted to them, except Bonner Bishop of London, and Gardiner Bishop of Winchester: The first engaged to observe them, only so far forth as they should not contradict the Law of God, and the Ordinances of the Church: And the second protested against the Homilies, as containing several Errors, particularly that of Justification by Faith alone.

The Parliament held in November 1547. made a severe Act against those who should have the Boldness to speak irreverently against the Sacrament of the Altar; wherein it was at the same time enacted, That the Communion should be given under both kinds; and that the Priests and People should equally communicate. It was also there enacted, That for the future, the King should dispose of vacant Bishopricks, *Pleno jure*, whereas formerly Bishops were chosen by the Chapters, with the King's *Conge's d'Esire*. Lastly, the Foundations of Chantries, Colleges and Chappels, which Henry VIII. had not seized on, were given to the King. It was ordered by a Proclamation, That a certain Number of Bishops and Divines should be sent to Windsor, to labour after a Reformation of the Offices of the Church; and Priests were allowed to marry.

In January 1548. about the latter end of the Month, the King of England's Council declared, That Marriages might be dissolved for Adultery, and that the innocent Person, who was juridically separated from his Wife upon that Account, might contract a lawful Marriage. This Order was made upon the Account of the Marquis of Northampton, Brother to Henry VIII's Widow, who had married Anne Bouchier, Daughter to the Earl of Essex; and who having accused her of Adultery, left her, and afterwards, before the Separation was declared valid in Law, married Elizabeth, Daughter to Brook Lord Cobham.

The Differences about Religion grew higher and higher every Day in England. The Design of the pretended Reformers, was not to stop at what had been done already; they were for abolishing the Usages, Ceremonies and Worship of the Catholick Church entirely: They preached against Fasting in Lent, against the Ceremonies of Candlemass-day, of Palm-Sunday, Good-Friday and Easter-day. The Council began with taking away the Ceremony of Torches upon Candlemass-day, and of Ashes in the

beginning of Lent. The King however declared by a Proclamation, dated Feb. 6. That no Man should alter any thing in the Service of the Church, without express leave. Some Days after, there was an Order of Council to take away all Images and Shrines of Relicks; and Bishops were ordered to seize upon, and bring into the Royal Treasury, the Images of Gold and Silver, Shrines and other Ornaments which belonged to them.

The Commissioners appointed to examine and correct the Offices of the Church, began with that of the Communion; and drew up a Form of Administration of the Eucharist, which changed nothing essential, and asserted the Consecration of the Bread and Wine, into the Body and Blood of Jesus Christ: The Elevation only was left out. There was no mention of Auricular Confession; but then it was not rejected; and since the Sacrament of Penance was not the Subject, but only the Administration of the Eucharist, that was not a proper Place to mention it: This Office was received by all the Bishops in England, except Gardiner, who made a Sermon before the King, in which he vehemently asserted the real Presence of the Body and Blood of Jesus Christ in the Eucharist.

The other Offices of the Church were not wholly changed; only they were reformed by cutting off some Ceremonies and some Prayers, even in the Administration of the Sacraments. It was ordered, That they should be every where celebrated in the vulgar Tongue. The use of Priests Habits, and most of the ancient Prayers and Ceremonies were kept in the Liturgy, except the Elevation of the Host. The Sign of the Cross, and Exorcisms, were the only Ceremonies retained in the Administration of Baptism, which was ordered to be usually administered by dipping the Child thrice in the Water. The Chrism was taken away in the Sacrament of Confirmation, which the Bishop was to confer by the Sign of the Cross, and the Imposition of Hands, join'd to these Words, *I sign thee with the Sign of the Cross, and I lay Hands on thee in the Name of the Father, &c.* The Unction of the Sick was not taken away, but reduced to anointing the Forehead and the Breast; and it was ordered that the Sick should communicate at their own Houses, where it should be consecrated for them.

These Changes neither pleased those that were devoted to the old Religion, who could not accustom themselves to such Innovations; nor the Sacramentarians, who were for abolishing all the Customs of the Church entirely, and for taking away the Doctrine of the Real Presence, which had not yet been touched upon. The Preachers declaimed on both Sides, some against what had been done, and others because there had not been done enough. To remove these Disputes, the Council was obliged to take away from Bishops the Power of licencing Preachers, and to reserve it to the King, and to the Archbishop of Canterbury.

The Parliament, which sat towards the latter end of the Year 1548. made an Act, by which not only those that were married were allowed to go into Orders, but Priests also were suffered to marry. Nine Bishops and four temporal Lords opposed it. The new Office also was confirmed, and it was enacted, That from and after Whit-Sunday next, divine Service should be celebrated every where according to the new Regulation, under very rigorous Penalties. Men were allowed however, to read the Office in Greek or Latin, in the Universities, excepting the Communion-Service. Last of all it was declared,

[(r) Only those Images were to be pulled down, that were censured unto; the others were suffered to remain as a Remembrance of those whom they were intended to represent. [Vid. Sparrow's Collection, Pag. 2.]

[(s) By the Holy Day in this Injunction, seems to be meant the Lord's Day: But our Author misquotes the Injunction;

for there it is not said, That no other Festivals shall be celebrated; but only it gives Directions how the Holy Day shall be observed; and as Bishop Burnet observes, Festivals are mentioned with Approbation at the end of this Injunction, which only shews, That they are not the same with the Holy Day, not that they are to be abrogated. See Sparrow, Page 7.]

That provided Men conform'd to this Act, they might use other Psalms and Prayers at the same time, if they were taken out of the holy Scripture.

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Act for Fasting.

Disputes concerning the Real Presence.

This Parliament being prorogued to the beginning of the next Year 1549. made an Act in Feb. to forbid eating of Flesh on *Fridays* and *Saturdays*, on *Ember-days* in *Lent*, and upon other Days, in which, according to Custom, they abstain'd from Flesh.

They had not yet dared to touch upon the Articles of the Real Presence, nor so much as to call it in question. The pretended Reformers were not well agreed among themselves about it: Some were inclinable to the *Lutherans*, others were *Sacramentarians*; of the Number of these last, was *Peter Martyr*, who publicly taught, That there was no Transubstantiation; That the Body and Blood of Jesus Christ were not bodily in the Sacrament; and that they were united only in a sacramental Manner to the Bread and Wine. *Bucer* did not speak so plainly, and did not absolutely deny the Real Presence of Jesus Christ in the Eucharist. The old Members of the Church of *England*, stoutly maintained Transubstantiation, which was one of *Henry VIII's* Articles. There were several publick Disputations about it, in the University of *Cambridge*, and in several other Places in the Kingdom. *Granmer*, Archbishop of *Canterbury*, declared against the Real Presence. *Bonner*, Bishop of *London*, maintained it violently; but he was deposed upon other Pretences, as also *Stephen Gardiner*, Bishop of *Winchester*; *Cuthbert Tunstall*, Bishop of *Duresme*; *Nicholas Heath*, Bishop of *Worcester*; and some others. Their Sees were filled with Men devoted to the Innovators: Those of *London* and *Westminster* (1) were given to *Dr. Ridley*, *Glocester* to *Hooper*, and *Winchester* to *Poinet*. *Coverdale* was made Coadjutor to the Bishop of *Exeter*. In a Word, as Bishopricks and Benefices became vacant, they were given to Men devoted to the new Opinions. However, they punished Anabaptists, and those that taught Errors against the Trinity, very severely. *John of Kent*, and *Van Pare*, were burned for teaching impious Doctrines.

Bishops deposed.

Execution of Thomas and Edward Seymour.

During these Revolutions in Religion, there happened also Changes in the Government of the State. The Duke of *Somerset* had caused his Brother, *Thomas Seymour*, Admiral of *England*, to be condemned and executed; and he himself was soon after disgraced, imprisoned, fined severely, and turned out of his Employments. Soon after he came again into Grace and Favour; but he was accused the second Time by the Intrigues of the Earl of *Warwick*, and condemned to lose his Head upon a Scaffold, Jan. 22. 1552.

Reformation of the Offices of Ordinations.

In the Year 1550. the Reformation of the Office of Ordination came out. It was there ordered, That for the future, in the Ordination of Priests and Bishops, they should only say, *Receive the Holy Ghost in the Name of the Father*, &c. and that when the Bishop laid one Hand upon the Priest's Head, he should with the other give him a Bible, a Chalice, and Bread in it, together with the pastoral Staff. (u) The Ceremony of presenting the Chalice and Staff, is not now practised in *England*, but the Ordination of Priests there, is different from that of Bishops. Unctions were then taken away, and Suffrages and Prayers were added in their stead.

Innovations of Bucer and Ridley.

Bucer, who was one of the chief Agents in the pretended Reformation of *England*, did not entirely approve of the Liturgy which they had drawn up; he would have had the Eucharist put into the Hands of the Communicants, and not into their Mouths: He did not like the Prayer for the Dead, and could

not endure this Prayer, *That these Creatures of Bread and Wine may be for us the Body and Blood of his Son*, which established Transubstantiation: And he condemned the Use of holy Water, Chrism, and Exorcisms. *Ridley* took away the Use of Stone Altars in his Diocess, and order'd only a plain Wooden Table, covered with a Table-cloth in every Church.

The History of the Council of Trent.

The Council approv'd of this Change, and caused an Order to be drawn up to reconcile the People to it, who murmured.

At last, in the Year 1551. the last Period of the Change of Religion in *England*, under King *Edward*, happened. There was a Confession of Faith drawn up, containing 42 Articles, of which Mr. *Burnet* has given us this Extract.

Articles of Religion.

In the *First*, [the Reformers acknowledge the Existence of one God in three Persons.

In the *Second*, they teach the Incarnation of the eternal Word.

In the *Third*, they assert the Truth of the Descent of Jesus Christ into Hell, and found it upon these Words of St. *Peter*, *He preach'd to the spirits in prison*.

In the *Fourth*, they affirm, That Jesus Christ rose from the Dead.

In the *Fifth*, they maintain, That the Scriptures contain all things necessary to Salvation; and that no Opinion ought to be looked upon as an Article of Faith, which is not asserted in that divine Book.

In the *Sixth*, they establish the Authority of the old Testament, under the evangelical Dispensation.

In the *Seventh*, they declare the three famous Creeds, that of the Apostles, the *Nicene*, and the *Athanasian*, to be authentick; supposing, according to the Opinion then believ'd, that St. *Athanasius* was truly the Author of this last Confession of Faith; whereas it has been since discover'd, that it was drawn up near 300 Years after his time.

In the *Eighth*, they treat of Original Sin, and call it a Depravation of the Nature of all Mankind, descended from *Adam*; by which Depravation we have lost Original Righteousness, and contracted an unhappy Disposition to evil: But they do not define the Manner how this Guilt of *Adam's* Sin is derived to us.

In the *Ninth*, they assert the Necessity of preventing and effectual Grace; without which, by the Motions of our pretended Free-will, we could not perform Actions which would please God.

In the *Tenth*, they explain the Operation of Grace; and they attribute to it the Conversion of Man, but without doing Violence to the Will.

They teach in the *Eleventh*, That we are justified by Faith alone, according to the Doctrine contained in one of the Homilies, which treats of Justification.

The *Twelfth* asserts, That Works done before Grace, are not free from sin.

In the *Thirteenth*, all Works of Supererogation are condemned.

In the *Fourteenth*, they teach, That all Men are actually under the Power of Sin; and that Jesus Christ alone is exempt from this Law.

In the *Fifteenth*, That a Man may sin after he has received Grace; and that then we are raised from our Fall by Repentance.

In the *Sixteenth*, they set forth the Nature of Blasphemy against the Holy Ghost, and describe it by a profound Malice, and an invincible Obstinacy, in abusing and persecuting the Word of God, though they are convinced of its Divinity; which is a Crime not to be forgiven.

[(1) *Westminster* was erected into a Bishoprick by *Henry VIII.* and *Thirlby*, was the only Bishop that ever sat in that See: In King *Edward VI's* time, that Foundation was sunk, and the Diocess of

London had all things restored to it, as formerly.

[(u) The Staff was given to the Bishop only, not to the Priest.]

The History of the Council of Trent. In the *Seventeenth*, they affirm, That Predestination is the free Choice which God makes of those whom he afterwards justifies. They wisely observe, That this very Doctrine, which is so full of Comfort to those who have a right Notion of it, is a Rock for curious and carnal Persons who try to fathom it. They add, That since it is a Mystery, Men ought to guide themselves by the Will of God, as it is revealed to them in his Word. They say not one Word of Reprobation.

The *Eighteenth* teaches us, That Man, who cannot save himself by the Assistance of Reason and Nature, has no other Means of Salvation, besides the Name of Jesus Christ.

In the *Nineteenth*, they pronounce all Men to be obliged to the Observation of the moral Law.

In the *Twentieth*, they give a Definition of the Church, which they affirm to be an Assembly of the Faithful, to whom the Word of God is purely preached, and the Sacraments are lawfully administered. They lay it down for a Rule, That particular Churches, that of *Rome* amongst the rest, are subject to Error, and have actually erred in Matters of Faith.

They call the Church, in the *Twenty first*, The Keeper of the holy Writings; and they give her a Power to certify the Truth, but without a Power of imposing any thing contrary to those holy Books, or of establishing Opinions not contained in the Scriptures as Articles of Faith.

In the *Twenty second*, they speak of the Authority of general Councils, and assert, That they cannot be held without the Princes leave: That these ecclesiastical Assemblies may err, and have actually erred in Matters of Faith; and that their Decrees concerning Points of Belief are of no force, unless they are founded upon the Authority of the Scriptures.

In the *Twenty third*, they reject Purgatory, Indulgences, religious Veneration of Images and Relicks, and Invocation of Saints, as Usages without ground, and contrary to Scripture.

In the *Twenty fourth*, they censure those that preach or administer the Sacraments, without having lawfully received the Power from the Ministers, to whom alone the Right of conferring that Power doth appertain.

The Necessity of using a Language understood by the People in the Service of the Church, is asserted in the *Twenty fifth* Article.

The *Twenty sixth*, reduceth the Sacraments to two, and observes that they are not barely Marks of our Profession; but that they are effectual Signs of God's Love towards us, and they strengthen those that worthily receive them, in the Faith: Their efficacy *ex opere Operato*, is condemned by this Article.

The *Twenty seventh*, is against those that pretend, That the efficacy of Sacraments depends upon the Dispositions or Intention of the Ministers that dispense them.

The *Twenty eighth*, teacheth, that Baptism makes us Children of God by Adoption, and that Infant-baptism is a laudable Institution, which ought in any wise to be retained.

The *Twenty ninth* Article defines the Eucharist, not only to be a Symbol of Union and reciprocal Love amongst Christians, but also a Means of Communion with the Body and Blood of Jesus Christ: Moreover, That Transubstantiation is contrary to Scripture, and has given Birth to several superstitious Practices: That the Corporeal Presence implies a Contradiction, since one Body can exist only in one Place at one Time, and that of Jesus Christ is in Heaven: Last of all, That the Sacrament ought neither to be kept, nor carried about in Procession, nor exposed nor worshipped.

The *Thirtieth* Article affirms, That there is no other expiatory nor propitiatory Sacrifice, but that of Jesus Christ.

The *Thirty first* teaches, That the Law of God does not oblige Ecclesiastics to live in Celibacy.

The *Thirty second* ordains, That when scandalous Persons have been legally excommunicated, they are looked upon as Pagans, till they have been reconciled to the Church, by ecclesiastical Penance, and admitted to publick Peace by a competent Judge.

The *Thirty third* says, That there is no Necessity that Ceremonies should be the same in all times: That those who refuse to submit to Ceremonies, established by a publick Law, ought publicly to be censured; both because they declare themselves to be Enemies to Discipline and Laws, and because they give offence to weak Minds.

In the *Thirty fourth*, the Book of Homilies is recommended to be read, as a Book containing wholesome and godly Doctrine.

The *Thirty fifth* declares, That the new Service-book is so far from hurting the Gospel, that it is very agreeable to it, and ought to be received by the whole Nation.

The *Thirty sixth* confirms to the Kings of *England* their Title of Supream Heads of the Church in their Dominions. It contains also the following Propositions. I. That the Bishop of *Rome* has no Jurisdiction in *England*. II. That Magistrates ought to be obey'd, out of a Principle of Conscience. III. That heinous Crimes may be lawfully punished with Death. IV. That Christians may lawfully take up Arms, and bare them against the Enemies of the State.

The *Thirty seventh* condemns a Community of Goods, and at the same time acknowledges, That every Man is obliged to assist the Poor, according to his Abilities.

The *Thirty eighth* renews the Prohibition of swearing without a Cause, but allows an Oath, when required by the Magistrate.

The *Thirty ninth* asserts two Propositions; One, That the Resurrection is not yet come; and the other, That we shall arise at the last Day with the same Bodies that we now have.

The *Fortieth* relates to the State of Souls after Death; That they do not die; That they do not sleep with their Bodies; That they are not deprived of Sensation till the Day of Judgment.

The *Forty first* condemns the Fable of the *Millenaries*, as contrary to Scripture, and a Remainder of *Jewish* Dotages.

The *Forty second*, in like manner, condemns the Opinion of those who believe that the damned shall be restored, when they shall have suffered for some time.

The same Year, Changes and Additions were made in the Liturgy; Prayer for the Dead was taken away; the Sign of the Cross was taken away at the Communion and Confirmation; and the Unction of the Sick was abolished. The most important Change was in the Matter of the Eucharist; they not only took out of the Liturgy all Terms in the Consecration of the Eucharist, which asserted the Real Presence of the Body of Jesus Christ, but they declared besides, That though the Eucharist was to be received kneeling, yet it was not believ'd that the true Flesh and true Blood of Jesus Christ were present in the Sacrament; That his Body, according to the Order of Nature, could fill but one Place at one Time, and that being present in Heaven, he cannot be corporeally in the Eucharist. In *Queen Elizabeth's* Time, this Explication was suppress'd in Favour of the *Lutherans*; and it was inserted afterwards, when the Prince of

Orange was upon the Throne of *England* (w). Six Chaplains were sent into the several Counties of *England* to cause this Doctrine to be received; and the Liturgy, so reformed, was authorized by an Act made in that Session of Parliament which began *January* 23. 1552. The Convocation confirmed the Articles which had been drawn up the Year before. Lastly, this Parliament confirmed the keeping of *Lent* and of Holy-days.

Some time after, there was a new Office drawn up for the Order of the Garter: It was no longer called the *Order of St. George*; and the *George* which hangs down from the Collar was taken away (x). It was proposed also to make a Regulation in the ecclesiastical Jurisdiction, and Commissioners were appointed to draw it up; but King *Edward's* Death broke this Project.

About the beginning of *January* 1553. he found himself seized with a Defluxion upon his Breast, which was inflamed by the Medicines which were administered; and it so much increased, that about *June* his Case was looked upon to be desperate. Before his Death he altered the Order of Succession, which was settled by *Henry VIII's* Will, whereby the Princess *Mary*, his eldest Daughter, came in first, then *Elizabeth*, and in their default the Dutcheis of *Suffolk*. The Princess *Mary* continuing always a very zealous Catholick, in hatred to her, and without any regard to the Princess *Elizabeth*, he named *Jane Grey*, eldest Daughter of the Dutcheis of *Suffolk*, Heir to the Crown, to whom her Mother renounced all her Right. That Act was signed by the Council. The Princess *Mary* was at the same time sent for, under pretence of assisting the dying King, but in truth with a design to seize her: She was but half a Day's Journey from *London*, when she had notice of it by the Earl of *Arundel*. Thereupon she retired into *Norfolk* (*). King *Edward* died *July* 6. and *Jane Grey* was acknowledged as Queen by the Council, and proclaimed in *London*, *July* 10. *Mary* also caused herself to be proclaimed in *Norfolk*, where she gathered Forces, and marched towards *London*. She no sooner came near the Town, but the Lord Mayor, with the Nobility that durst not oppose the Attempts of the Duke of *Northumberland*, who was gone out of Town, came to receive her, and conducted her to *London*, where she was proclaimed Queen of *England*, and Head of the Church, with a general Applause. *Jane Grey* was imprisoned, with *Guilford Dudley* her Husband, and *Northumberland* her Father-in-law.

October 1. Queen *Mary* was crowned, and made her solemn Entry into *London*. She quickly let the Nation see, that she resolved to restore the [Roman] Catholick Religion in *England*. She took *Gardiner* out of Prison, and gave him the Great Seal. The Duke of *Norfolk* was restored, The Duke of *Northumberland*, the Earl of *Warwick* his Son, and the Marquess of *Northampton*, were condemned to die, and were beheaded *August* 22. The 18th. of the same Month the Queen made a Declaration, setting forth, that her Majesty desired all her Subjects to embrace the same Faith in the Spirit of Charity; and that till all things could be regulated by joint Consent, she commanded her Subjects to live in Peace, and not to treat each other as Hereticks. The Bishops that were deposed in the late Reign entred again into their Sees; Images, and the ancient Offices of the Church, were restored in several Places; *Craumer* and *Latimer* were sent to the Tower of *London*.

October 10. the Queen called a Parliament. When they met, *Mass* was celebrated according to the U-

sage of the Church of *Rome*; and the Protestant Bishops, not being willing to assist at it, were excluded the House. The first thing which that Parliament did, was, to declare the Marriage of *Catherine of Arragon* with *Henry VIII.* lawful, and her Divorce unjust. All Ordinances made by King *Edward*, concerning Religion were repealed and declared null; and an Act was made, to command the People to follow the Religion in use in *England* at King *Henry VIII's* Death. Very severe Laws were made against those that should abuse the Priests. The Queen's Marriage also was talk'd of in Parliament, tho' she was then near 40 Years of Age; and three Matches were proposed, *Philip* Prince of *Spain*, Cardinal *Pool*, who was not then in Orders, and *Courtney* [Earl of *Devonshire*]. The Queen chose *Philip*, either because she had more Inclination for her Mother's Kindred than her Father's, or because she thought that Match was more advantageous for the good of the State.

March 4. 1554. the Queen issued out a Proclamation, by which she ordered the publick Prayers to be in *Latin*; and forbade all married People to perform any ecclesiastical Function; and ordered Bishops not to exact from those that should enter into Orders, for the future, the Oath enjoined by her Father, to acknowledge the King to be the supreme Head of the Church of *England*, without any Dependence: She struck also a certain Prayer, made in King *Henry's* time, out of all the Offices; in which God was desired to deliver the Kingdom of *England* from the Tyranny of the Bishop of *Rome*; and all farther Printing upon that Head was expressly forbidden.

The News of this Revolution in *England* extreamly rejoiced the Court of *Rome*; and the Pope, to draw all possible Advantages from it that he could desire, named Cardinal *Pool* immediately his Legate to go into *England*.

The Emperor, who was afraid that *Pool* might cross his Son's Marriage with the Queen of *England*, wrote to him by Cardinal *d' Andino*, then Legate in his Court, that an apostolical Legate could not go yet into *England*. But this Letter did not hinder Cardinal *Pool* from setting forward in his Journey; for which Reason the Emperor sent Don *Diego de Mendoza* to stop him, as soon as he entred into the Palatinate. The Legate complained of these strange Proceedings; saying, that the Emperor wronged *England* and all *Christendom*, as much as he pleased the Protestants of *Germany*. The Emperor therefore, to stop these Reports, ordered him to go to *Brussels*, upon pretence of negotiating for him an Accommodation with *France*, and kept him in *Brabant* till his Son's Marriage was concluded; which was fixed in *April* 1554. in the Parliament which the Queen called at that time, and consummated *May* 25. following. Cardinal *Pool* came to *London*, *Nov.* 24. after having been first restored by the Parliament to all the Rights and Privileges of his Nobility, from which he had been degraded. The 29th. of the same Month the Reconciliation with the See of *Rome* was concluded in Parliament, which, for that purpose, ordered a Petition to be drawn up in the Name of the *English*; whereby they were to testify their great Sorrow for refusing Obedience to the holy apostolical See, and to promise that they would procure the Repeal of all the Acts that were made against *Rome*: And in the mean time, they desired the King and Queen to intercede for their Absolution, as for Children who were returned to Repentance, and were resolved to live in obedience to the Pope and See of *Rome*.

[(w) Bishop *Burnet's* Words, which Monsieur *du Pin* had in his Eye, are, since his present Majesty's Restoration; which our Author applied in haste to King *William III.* They were meant of King *Charles II.* after whose Restoration, when the Liturgy was restored in 1662. this Explication was again inserted into the Common Prayer Book.]

[[x) Instead of a *George*, there was to be on one side of the Jewel a Knight carrying a Book upon a Sword's Point, on the Sword to be written *Protestio*, on the Book *Verbum Dei*: On the Reverse a Shield inscribed *Fides*, to express their Resolution, both with offensive and defensive Weapons, to maintain the Word of God. *Burnet's History of the Reformation*, Part 2. Page 206.]

The History of the Council of Trent.
Reconciliation of England with the Holy See.
 Nov. 30. Their Majesties and the Legate went to the Parliament-House; and the Chancellor asked the Parliament, whether they were willing to ask Pardon of the Legate, to be re-united to the Church of Rome, and to submit to the Obedience of the Pope, who is the supream Head; Some cried, *Yes*; others held their Peace: However, the Parliament's Petition was presented to their Majesties, who, after they had caused it to be publickly read, stood up, and desir'd the Legate to grant the Favour that was desired; to which he very readily agreed. Then he order'd his Powers to be read; and having shewn, in a short Discourse, how much Repentance is agreeable to God, and how much the Conversion of this Kingdom would rejoice the Angels, he implored the Mercy of God, and gave Absolution to all that were there, who received it upon their Knees, and then went to Church to return God thanks.

Next Day, Decemb. 1. Anthony Brown Viscount Montacute, Thomas Thirlby Bishop of Ely, and Sir

The History of the Council of Trent.
 Edward Carne, were named to pay their Obedience to the Pope: This last was appointed to stay as Ambassador in Ordinary with His Holiness.

When the Pope heard this News, he order'd publick Processions to be made at Rome, and throughout all Italy, to give God thanks; and Dec. 24. he published a Bull to order a Jubilee; in which it was set forth, that as when the Father of the Family in the Gospel had recovered his Son, he was not contented to rejoice in his Family alone, but invited also his Friends and Neighbours to the Feast; so he was resolved to diffuse his Joy throughout all Christendom.

The Parliament of England sat till Jan. 15. The ancient Laws made against Hereticks were revived, with those that strengthened the Episcopal Authority: All Laws made against the Pope's Authority, under Henry and Edward, were repealed; and those Acts which appointed Punishments against Hereticks were revived, and very rigorously executed.

CHAP. IX.

The History of what pass'd in Italy and Germany, relating to Religion, from the Suspension of the Council, till there were Propositions made to renew it.

Deliberation concerning Restoring the Council.

THE Term for the Suspension of the Council being expired, the Pope consulted whether it were necessary to make a new Declaration that it should remain suspended: For tho' the War between the Emperor and France might give a Pretence to keep the Council suspended, yet lest any Man should say that that Reason was not sufficient, and that the Council ought to be re-assembled, he advised with the Cardinals: of whom the most Ancient were of opinion, that the Council ought not to be mention'd, since it was not any longer talk'd of, or minded; whereas if it were again talk'd of, it might induce some to desire it. This Advice was followed; and the Pope resolved to do nothing more in that Matter. Things being in this Posture, he reckon'd he had nothing more to do, but to pass the rest of his Days quietly; when of a sudden he understood that the Emperor had called a Diet at Augsburg, and that when Ferdinand, King of the Romans, had open'd it, Feb. 5. 1555. he gave them to understand, that as it had been formerly believ'd that a general and pious Council was the only Remedy that could be made use of, to settle the Quiet of Germany; so the Emperor had at last, with great Labour, gotten the Pope to call one: That this was neither Time nor Place to acquaint them with the Reason why this Remedy did no good, but that those that had been at Trent knew the Reason: That if they would try this Remedy once more, they must first remove all those Impediments which had formerly caused it to miscarry; whereas, if they thought it more convenient to reserve it, because of the War, to a more proper Opportunity, they might in the mean time provide for themselves some other way: that National Councils being no longer in Use in these Days, he did not see how they could be made practicable: That Colloquies had been successful, because both Parties prefer'd their private Interest to the publick Good: However, that this Method was not to be neglected in the present Conjunction; and, for his Part, he advised them to try it once more, if they could not find a better; provided nevertheless that they laid aside their Obstinacy, and yielded more to Reason.

Death of Julius III.
 This Proposition of Ferdinand's surprized His Holiness extremely when he saw it in print, and put him

upon delaiming against Colloquies, and those that invented them; and complaining, that he could not be one Moment without having a Council, a Colloquy, or a Diet upon his back. So he dispatched Cardinal Morone, as his Legate, to the Imperial Diet, to propose to the Germans the Example of England, and to exhort them to own their Fault, and repair it, as the English had done before: But Cardinal Morone was scarce got to the Diet, when he left it upon the News of Julius III's Death, which happen'd March 23. 1555.

At his Arrival at Rome he found Marcellus Cervinus, Cardinal of Santa Croce, in the See, who retained his own Name, and was called Marcellus II. He was a grave, severe, courageous and constant Man: He had great Designs, and very good Intentions for the Reformation of the Court and Clergy of Rome; and he would have executed them vigorously, if he had not been taken off by Death twelve Days after his Advancement.

When the Obsequies of Pope Marcellus II. were over, the Cardinals went into the Conclave to choose a new Popes. One of the Articles which the Cardinals swore, according to custom, was, that the new Pope should call a new Council within two Years, to compleat the Reformation already begun, and to determine upon the remaining Controversies in Religion. It was also decreed, that the new Pope should make but four Cardinals in the two first Years of his Pontificate.

Three Eminent Men were immediately proposed; Cardinal Carpi, Cardinal Pool, and Cardinal Morone. The Cardinal of Ferrara opposed Cardinal Carpi's Advancement openly, because of the County whose Name he bore; upon which the other had great Pretensions; and he, being the Head of the French Faction, threatned to exclude him. The Imperialists opposed Cardinal Pool, because they apprehended he might have some Resentment against the Emperor for stopping his Journey into England, (as we said already) when he went thither in the Quality of Legate. They revived therefore in the Minds of some of the Cardinals the Suspensions which they had already in former Conclaves, that this Cardinal had some Heretical Opinions, because he received Antonius Flaminius and Tremelius, (a) who were ac-

Articles sworn in the Conclave.

Election of Marcellus II. and his Death.

Candidates proposed and Cabals of Factions.

[(a) Bishop Burnet says, that when Tremelius, who had declared himself a Protestant, went to wait upon Cardinal Pool

at Brussels, he would not see him, tho' he was his Father. *Hist. Refor. m. Part 2. page 298.*

culed of *Lutheranism*, into his House, and was for having Hereticks treated with much Sweetness and Humanity. Cardinal *Morone*, who was set up by Cardinal *Sanctafiore*, was presently abandoned upon the Reports which were spread by the Cardinals of Saint *James* and *Carpi*, who were the chief Inquisitors, that this Cardinal was suspected of Heresie.

For some Days the Conclave stood still, the Heads of the Factions being taken up with considering how to raise such Men as they reckon'd would be most favourable to them. Cardinal *Sanctafiore*, Head of the Imperial Faction, cast his Eyes upon Cardinal *de Puteo*, out of a certain Hope that he should find no Opposition in raising that Cardinal to the Pontificate: In the first place, because the Cardinals, who loved the Good of the Church, would willingly concur in his Election; he being generally allowed by all Mankind to be a good Man and a great Lawyer; and, being of mean Birth, the Princes had no Reason to fear, that, if he were raised to the Papedom, he would carry his Ambition too far: And secondly, because the Cardinals of *Julius III's* Promotion would willingly vote for a Man who was raised by the same Pope: And lastly, because the *French* would not exclude a Man that was originally of *Provence*.

Cardinal *Sanctafiore* therefore judging, for these Reasons, that Cardinal *de Puteo* would be unanimously chosen, acquainted Dom *John Manriquez*, the Emperor's Ambassador, with the Matter; who, approving it, gave notice of it to Cardinal *de Puteo*: *Sanctafiore* also opened it to his Friends, and particularly to the Cardinal of *Perusia*, *Julius III's* Nephew, and Head of the *Italian* Faction; who, to make himself agreeable to the Cardinal *de Puteo*, canvassed for him so openly, that he drew upon himself the Hatred of the old Cardinals, who, being older than the Cardinal *de Puteo*, lost thereby the Hopes of ever becoming Popes themselves: They durst not shew it however, or discover their Discontent, and so resolved to say nothing, unless a favourable Occasion should offer its self.

The Imperialists therefore believing that the necessary Measures for the Election of Cardinal *de Puteo* were taken, sent to that Cardinal to come to *Paul II's* Chappel. He refused to come for some time, which gave the Cardinal of *Ferrara*, who had notice of it, and was the Head of the *French* Faction, time to go with some *French* Cardinals to Cardinal *Farnese*, to find means to cross his Election. *Farnese*, who, was enraged that the Imperialists would make a Pope without acquainting him with it, told the Cardinal of *Ferrara*, if he would second him, he could cross that Election, by proposing Cardinal *John Peter Caraffa*, Archbishop of *Naples*, and Dean of the sacred College; for whom, they might depend upon the Votes of all the ancient Cardinals: *France* also might be secure in him of a Man who would stand by its Interests, preferably to the Emperor's, against whom that Cardinal always felt an Indignation as often as he thought upon the Taking of *Rome*, the Imprisonment of *Clement VII.* with the Injuries which he sustained in his Honour and his Estate from the Grandees of *Spain* as Archbishop of *Naples*. The *French* Cardinals yielded to these Reasons, and left Cardinal *Farnese* to manage the whole Matter; which he willingly undertook, out of a Hope that he should certainly make a Creature of his Grandfather's Pope. Accordingly, when he had managed his Friends, he went with the *French* Cardinals to find Cardinal *Caraffa*, whom they took out of his Cell, and led him to the Chappel, where there was not at that time one Cardinal of the Imperial Faction. *Caraffa* suffered himself to be led along; and, upon the Noise which the *French* Cardinals made before the Cells of Cardinal *Carpi* and *St. James*, they both came out of their Cells, and being well inclined, because the Imperialists pretended to set up Cardinal *de Puteo* without acquainting them with

it, they suffered themselves to be persuaded by the *French*, to vote for Cardinal *Caraffa*. The Cardinals of *Palermo*, *Doria*, and *Nobili*, coming also out of their Chambers at the Noise of the *French*, as they were going to the Chappel, and seeing *Carpi* and *St. James*, of the Imperial Faction, favour the Election of *Caraffa*, could not help giving them their Votes. Cardinal *Morone*, who came to the Chappel by chance, promised him his Voice, and engaged *Otto Truchses*, the Cardinal of *Augsburg*, who was his Friend, to vote for Cardinal *Caraffa*. *Farnese* thus having secured a sufficient Number of Voices, caused *Caraffa* to be chosen; and when the Imperialists saw he would be chosen without them, they likewise gave him their Votes. And thus Cardinal *Caraffa* was chosen Pope, May 23, 1555. and, to testify his Acknowledgment to Cardinal *Farnese*, took the Name of *Paul IV.*

When the Cardinals were gone out of the Conclave, Don *John Manriquez de Lara*, the Emperor's Ambassador, went with some other Persons to the Palace of Cardinal *Sanctafiore*, to acquaint him that this Election would not be agreeable to his Imperial Majesty. That Cardinal told him it was impossible to be hindred; and should he have opposed it, it would have been done without him: That he thought it was better to seem to favour that Election as much as the other Cardinals, rather than have the Vexation of seeing a Pope chosen against the Consent of the Imperialists: That however, if the Emperor would oppose that Election, there was Room for it, since in the Opinion of several Cardinals it was unlawful. Dom *Jean Manriquez* immediately wrote to the Emperor, who sent back Word, That no Nullities ought to be alledged in an Election where so many Votes concurred; and that the Church ought not to be disturbed; and that God would take Care of his Interest, and so would he too.

Manriquez guess'd by this Answer, that he had nothing else to do but to endeavour to bring the new Pope into the Emperor's Interest. He did with him all he could; but the Cardinal of *Lorraine*, who understood the Pope's Humour, which was wholly bent upon Reformation, knew better how to gain him, by telling him, in a full Consistory, That the King his Master thanked God every Day for giving the Church a Pope who was so full of Zeal for Reformation: That the Church of *France* having so great Need of it, he thought he was happy in meeting with a Pope who had so good Designs: That he was resolved to second them, by sending the Prelates of *France* to the Council, if his Holiness should think it convenient to hold one, or by any other Means which might be agreeable to him.

The Ambassadors of *England*, whom Queen *Mary* sent to *Rome* to tender her Obedience to the Pope, made their Entry May 23. and the Pope thought it was convenient to give them a speedy Audience: But because Queen *Mary* had in her Titles assumed that of Queen of *Ireland*, by virtue of her Father *Henry VIII's* having erected that Country into a Kingdom after his Separation from the Church; the Pope thought it was of the utmost Consequence to the Holy See not to receive her Ambassadors, lest he should thereby ratify *Henry VIII's* Erection of *Ireland* into a Kingdom: Pretending that it belonged to the Pope alone, by virtue of that Authority which God has given him over temporal States, to erect them into Kingdoms: But withal he was afraid, if he made any Difficulty of receiving Queen *Mary's* Ambassadors because of the Title of Queen of *Ireland* which she took, and which her Father *Henry* and her Brother *Edward* had taken before, this might cause some Discontent in the present Conjunction; so he thought it was better, before he gave them Audience, to hold a Congregation; in which, pretending not to know that *Henry VIII.* had erected *Ireland* into a Kingdom, he would erect it into one himself. This he did in a secret Congregation

The History of the Council of Trent.

Election of Paul IV.

Imperial Ambassadors Complaint upon the Election of Paul IV.

Cardinal of Lorraine's Discourse to the Emperor.

Audience given to the English Ambassadors.

gregation held June 7. that it might be thought that Mary had taken this Title by Virtue of the Pope's Concession, and not by her Father's Ordinance.

June 21. the Pope held a publick Consistory, in which these Ambassadors, prostrating themselves before him, ask'd his most humble Pardon in the Name of the Kingdom, after having own'd their Ingratitude towards the Church, and confess'd all their Faults in the manner which the Pope himself prescribed. When they had done, he gave them Absolution, made them rise, and embraced them.

Tho' the Dyet of Augsburg was open'd when Cardinal Morone left it to go to the Conclave, yet nothing had been then determin'd, because of the Disputes which soon arose upon the Question, Whether they should begin with Matters of Religion? Whereupon the Pope charged Lippomanus, Bishop of Verona, whom he sent Nuncio into Poland, to go by Augsburg, and to take care that nothing was done there against the Interests of the Church. When he came to Augsburg, he found that some Articles of Accommodation had been concluded between the Catholicks and the Protestants, to the Prejudice of the Catholick Religion; against which he remonstrated to Ferdinand: And seeing that that was to no Purpose, he left Augsburg, and set out for Poland, that he might not be present when those Articles were published.

Sept. 25. the *Recess* (z) was published: It contain'd the following Articles, which were sent to the Pope.

Articles of Agreement between the Catholicks and Protestants, who met at the Dyet.

That neither the Emperor, nor no Catholick Prince, shall force those that have embraced the Confession of Augsburg to forsake their Religion, by Virtue of any Ordinances made, or to be made: And likewise, That those of the Augsburg Confession shall not force the Catholicks to renounce their ancient Religion.

That every Prince shall be at liberty to establish what Religion he pleases in his own Territories, and to forbid the contrary.

That the Subjects of Catholick or Protestant Princes may retire with their Families whither they please, and sell or carry away their Goods without Molestation.

That if any Ecclesiasticks forsake the ancient Religion, they shall lose their Benefices, without incurring a Note of Infamy upon that Account; and that those to whom the Collation shall belong, shall name other Persons to fill them up.

That Benefices appropriated by Protestants to Ecclesiasticks and Ministers of the Church, shall continue in the same State.

That ecclesiastical Jurisdiction shall be no longer exercised against those of the Confession of Augsburg; but that for the future it shall be ordinarily exercised upon the Catholicks.

That in the imperial Chamber Justice shall be done upon all Parties, without any regard to their Religion.

That the present Agreement shall remain firm and inviolable, till the Affairs of Religion can be regulated by one of the four Means proposed in the Dyet; namely, by a national Council; or by a general, free and Christian Council; by a Dyet; or by a Colloquy.

That those who shall be receiv'd as Counsellors or Assessors in the imperial Chamber, shall take the following Oath, according to the Form prescribed in the Treaty of Passaw, saying, I swear by the Name of God and the holy Gospels; and not according to the ancient Form, I swear by the Name of God and of the Saints; because both Catholicks and Protestants honour God and the holy Gospels, whereas the Protestants have not the same Reverence for the Saints which the Catholicks have.

When the Pope saw these Articles, he was touch'd to the quick; and in an Audience which he af-

terwards gave to the Emperor's Ambassador, he threatned to resent the Injury which Ferdinand had caused the holy See to suffer in the Dyet, in due Time and Place, when he allow'd it to treat of Matters of Religion independently upon his Authority: And, to shew yet farther how sensibly he was affected with this Injury, he sent Zacharias Delfinus, his Nuncio, to Ferdinand, to make his Complaints.

This Anger of the Pope against the Emperor and Ferdinand broke out soon after in a League which he made with the King of France, to conquer the Kingdom of Naples. It was secretly negotiated by the Cardinal of Lorrain, and concluded with the same secrecy, Dec. 5. by the Cardinal de Tournon, Dean of the sacred College. The principal Article of this League was, That the King of France, after the Conquest of the Kingdom of Naples, should yield to the Pope all the Country between the ecclesiastical State and Garillano, and all beyond the Apennin to the River Pescara.

At the same Time the Pope resolved to make a Promotion of Cardinals to strengthen his own Party, who should be devoted to his Will, and capable of the boldest Enterprizes. This the holy College took very ill, and would have represented to him his Oath which he had taken not to make above four Cardinals: But without any regard to their Remonstrance, the Pope made a Promotion of seven Cardinals in the Consistory which he held December 20. namely, John Bernardin Scot a Theatin, Scipio Rebiba, Diomedes Caraffa, John Antony Capizucchi, John de Reomans, Francis John Silice Preceptor to Philip II. and John Gropper: And he declared, That those that asserted that he could not create above four Cardinals, because of the Oath which he had taken in the Conclave, were for binding the pontifical Authority which is absolute and independent; and that they ought to know, that a Pope can never be bound, nor bind himself.

Henry II. was a little uneasie that in this Promotion the Pope had no regard to the Demand which he made in behalf of the Bishop of St. Papoul. John Gropper thanked the Pope most humbly for the Honour which he had done him, and desired him not to take it amiss that he sent back (as he did) the red Hat which had been sent him from the Pope, according to Custom, contenting himself to die Dean of Cologne.

King Ferdinand came to Vienna in January 1556. there to call together the States of Austria, to get Supplies against the Turks. The Deputies of the States presented a Petition, in which they most humbly desired his Majesty to grant them the same Favour which he had granted to those of the Augsburg Confession, with leave to live with entire Liberty of Conscience, till a general and free Council should be called: That his natural Subjects were not in a worse Condition than the rest of Germany, and consequently, that he ought to allow that to them which he allowed to others: That he might assure himself, that if he had any regard to their Demand, they would do their utmost Endeavour to testify their Acknowledgment, and would willingly sacrifice their Lives and Fortunes in his Service.

Ferdinand reply'd, That he could not grant them what they desired, not for want of Good-will towards them, but because he was bound to obey the Church: That the Emperor and he had always detested Disorders in Religion, and had appointed several Colloquies to rectifie them: That they knew that the Ediēt made in Favour of the Protestants set forth, That every secular Prince might choose what Religion he pleased, and his Subjects should be obliged to follow it; and that in case any particular Persons would not submit to it, they might sell their Estates, and go whither they pleased: That consequently, since he profess'd the Catholick Religion, it was their Duty to do so too: That how-

[(z) What we call an Act of Parliament in England is called a *Recess* in Germany.

ever, to give them what Contentment he could, he was willing to allow them the Cup in the Sacrament, upon Condition that they would make no farther Innovations in the Laws and Ceremonies of the Church, till the Decree of the next Dyet which was to be held at *Ratisbonne*.

The *Bavarians* also made the same Petition to their Duke, desiring Liberty of preaching, marriage of Priests, the Cup in the Sacrament, and Leave to eat Flesh every Day; protesting that otherwise they would pay nothing towards the War against the *Turk*. That Prince, who wanted Money, gave them the Cup in the Sacrament, as *Ferdinand* his Father-in-law had done before; with Leave to eat Flesh, in case of Necessity, upon prohibited Days, till the Differences in Religion should be regulated by publick Authority.

The Pope was exceedingly enraged when he heard this News; but the Hopes he had of putting an End to all Matters relating to Religion, without Difficulty, when he had reformed the Court of *Rome*, stilled those Motions which broke out at first: And therefore towards the latter end of *January* he appointed a Congregation, divided into three Classes, each of which was composed of eight Cardinals, fifteen Prelates, and fifty other learned Men, who were ordered to begin with examining some Articles concerning Simony; which he caused to be printed, that the Universities and all learned Men might have Copies, and send their Opinions upon them.

In the first Congregation of the first Class, held *March* 26. 1556, before Cardinal *Bellai*, Dean of the sacred College, twelve Persons spoke, and there were three different Opinions: The first was the Bishop of *Feltri's*, who maintain'd, That there was no harm in receiving Money for the Exercise of spiritual Power, provided it was not given as a Payment, but on some other Account. The Second was the Bishop of *Sessa's*, who said, It was detestable Simony, both to give it, and to receive it; and that this could not excuse it, or tolerate it in any measure. The Bishop of *Sinigaglia* gave the Third, in the middle between both, saying, That the Thing was lawful but only at certain Times, and under certain Conditions. The next Days passed in hearing other Opinions; which being related to the Pope, almost induced him to resolve to publish a Bull, to declare, That a Man cannot in Conscience demand or receive any Gift or Alms, tho' it be voluntary, for any spiritual Favour: But he found so many Oppositions and Difficulties, that the Thing went no farther.

At the same Time the Ambassador, whom the King of *Poland* sent on Purpose to the Pope to Congratulate his Advancement, made five Demands in the Name of that Kingdom; namely, Communion under both kinds; Marriage of Priests; Abolition of Annats; Leave to celebrate Mass in their own Tongue; and lastly, Leave to call a national Council to reform the Abuses of the Kingdom, and to reconcile Differences of Opinions.

These Demands the Pope rejected with heat, and gave only this Answer, That a general Council, which he would hold at *Rome*, would manifest the Heresies of many People; meaning thereby the Decrees made in *Austria*, *Bavaria*, and the Dyets of *Germany*. Some Days after, he order'd all the Ambassadors to acquaint their Masters that he designed to celebrate a Council at *Rome*, like that famous Council of the *Lateran* which *Innocent III.* called in *MCCXV.* And that they might see that he was in earnest, he named Cardinal *Scipio Rebiba* for his Nuncio with the Emperor and his Son *Philip* King of *Spain*, who were at *Brussels*; because *Charles V.* had renounced the States of the *Spanish* Monarchy, in Favour of *Philip*, by his Cession *Jan.* 17. 1556. reserving to himself a Pension of 12000. Ducats.

He sent also Cardinal *Caraffa* into *France*, under the specious Pretence of engaging *Henry II.* to send the Bishops of his Kingdom to the Council; but his principal Design was to persuade that Prince to break

the Truce which he had made with the Emperor. Cardinal *Caraffa* succeeded in this Negotiation according to the Pope's Wish: The Truce was broken, and War was declared against the Emperor; the Consequences whereof were fatal to *France*, by the Loss of the Battles of *St. Quintin* and *Gravelin*, and by the small Success of their Arms in *Italy* under the Conduct of the Duke of *Guise*: So that *Henry II.* was obliged to make the Treaty of *Chateau Cambresis*, which gave the Pope a very great Uneasiness, seeing himself upon the Stroke of being besieged in *Rome* by the Duke of *Alva*, who was but a Day's Journey off, and yet durst not do it, for fear, as he told his Confidants, lest the Emperor his Master, who was grown Devout and Scrupulous, should disown it. In truth, the Orders which he receiv'd after the Peace was made with the Pope, to go to *Rome*, there to receive Absolution for his Master and himself, justify'd the Fear which he said he lay under.

The Pope was hardly got out of this War, when he had new Uneasinesses; because in the Dyet which was held at *Ratisbonne* in *October*, *Ferdinand* confirmed the Treaty that was made with the Protestants in the last Diet at *Augsburg*, and had appointed a Conference at *Wormes*, about Religion, between twelve Catholics and twelve Protestants. The Conference was held there; the Bishop of *Naumburg* presided in it, and found Means to embroil the *Lutherans* and the *Zuinglians*; and that he might reap the Benefit of it, he propos'd to the Former to condemn the Latter. Upon this the twelve Protestants were divided; five consented; but *Melanchthon* and six others oppos'd it, and withdrew, which broke up the Conference.

Charles V. the Emperor having by a publick Act made at *Brussels*, *Jun.* 17. 1556. yielded the whole Administration of the Empire to *Ferdinand*; and by his Letters written from *Sudbourg* in *Zealand*, *Sept.* 7. the same Year, desired the Electors, Princes, and Cities to obey him: He named *William* of *Nassau*, Prince of *Orange*, Ambassador to the Diet, with *George Sigismund Schild*, Vice-Chancellor of the Empire, and *Wolfgang Haller*, his Secretary, to transfer to *Ferdinand* the Name, Title, Dignity, and Crown Imperial, as if he had been already dead. Prince *William* refus'd this Commission at first, telling the Emperor, that he wish'd himself a better Fortune than that of carrying the Crown to another, which Count *Henry* his Uncle had put upon His Imperial Majesty's Head when he got him chosen Emperor. This Embassie was deferr'd two Years, upon the Account of Wars, and the Death of three Electors, namely, *Frederick* the Palatine, *Frederick d'Essembourg* Archbishop of *Triers*, and *Adolf* of *Schaumbourg* Archbishop of *Cologne*. The Electors being assembled at *Franckfort*, Prince *William* executed his Commission; and *Feb.* 24. 1558. *Ferdinand* was acknowledged Emperor. But the Pope pretended, that as the Confirmation which makes the Emperor, belongs to him, so the Renunciation of the Empire cannot be made into any Man's Hands but his, and that in that Case he alone was to give the Empire to whomsoever he pleas'd; because the Electors receive from the Pope only a Power of choosing in case of Death, and not in case of Renunciation, which belongs then only to the Holy See to judge of, as well as the Nomination of all Dignities resign'd into his Hands: So that he pretended *Charles V's* Resignation to be Null, and that the Right of nominating his Successor was entirely devolved upon the Holy See; for which Reason he would never own *Ferdinand* as Emperor.

Ferdinand in the mean time pretending to know nothing of what the Pope said, sent *Martin Guzman* to notify his Accession to the Empire to his Holiness, by Virtue of his Brother *Charles's* Resignation; and to pay him the accustomed Duties, till he could send a solemn Embassy to treat of his Coronation. The Pope refus'd *Guzman* Audience. When *Ferdinand* knew that the Pope had refus'd to give his

The History of the Council of Trent.

The History of the Council of Trent.

Congregation of Cardinals for Reformation.

Pope's Discontent against Ferdinand.

Surrender of the Empire by Charles V. election of Ferdinand.

Polish Ambassador's Demand to the Pope rejected.

Propositions to call a Council at Rome.

War raised between France, Spain and Italy.

Pope's Discontent upon Ferdinand's Election.

The History of the Council of Trent. Ambassador Audience, he sent him Word, that if his Holiness would not give him Audience within three Days after his Reception of that Letter, he should withdraw; having first protested that *Ferdinand* and the Electors would determine what should be for the Honour of the Empire. Hereupon that Minister demanded Audience once more, and the Pope gave him a private one, *July 13. 1558.* before seven Cardinals, but not as to an Imperial Ambassador. When *Guzman* had set forth his Instructions, and his Master's last Letter, the Pope answer'd, that he could not come to a Resolution so soon: That he would send a Nuncio to the Emperor *Charles V.* And that if he had Orders from his Master to be gone, he might go and protest as he pleased. Whereupon the Ambassador protested, and went from *Rome.* *September 21.* *Charles V.* died in the Monastery of *St. Just,* and his Death made no Alterations in the Resolutions of the Pope.

Charles the Fifth's Death. *November 17.* following, *Mary Queen of England* died at *London.* The News being brought at the same time to Cardinal *Pool,* who was sick in Bed of a Fever, he lifted up his Hands to Heaven, and said, *Lord, save thy Church.* After which Words, he turned that Moment upon his Right Side, and gave up the Ghost.

Elizabeth Queen of England. As soon as *Elizabeth,* who was at *Hatfield* in *Hertfordshire,* heard that *Mary* was dead, she came to the *Tower of London,* where she was proclaimed Queen of *England.* (a) Soon after she sent Letters of Credence to Sir *Edward Carne,* who was still at *Rome,* as *Queen Mary's* Ambassador, with Orders to him to notify to the Pope her coming to the Crown. This Ambassador demanded Audience of his Holiness, which was granted him; but when he had made his Compliments, the Pope told him, that the Kingdom of *England* was a Fief of the Holy See, to which *Elizabeth* could not succeed, not being legitimate: That he could not contravene the Declarations of *Clement VII.* and *Paul III.* And that she had been very bold to take the Title of Queen, and the Government, without his Leave: That she did not deserve to be heard; but that he was willing to act with Fatherly Goodness, and so would do all he could, without prejudicing the Dignity of the Holy See, provided she would renounce all her Pretensions, and frankly put all her Interests into his Hands.

Catholic Religion decreed in England. When *Elizabeth* heard the Pope's Answer, she called a Parliament at *Westminster,* where she ordered a Disputation between the Catholics and Protestants, before the Members of the Parliament. This Disputation lasted from *March 31. to April 30. 1559.* and was followed by an Act of Parliament, which annulled all Acts concerning Religion, made under *Queen Mary;* revived those of *King Edward;* conferr'd upon *Queen Elizabeth* the Title of Head of the Church of *England;* annex'd the Revenues of the Monasteries, partly to the Crown, and partly to the Nobility [and Gentry;] and banish'd the *Roman Religion* out of the Kingdom.

Resolution of the Diet of Augsburg in 1555. concerning Religion. This sad News the Pope received just upon a great deal more, which all together threw him into his Grave. He understood by *Delfino* his Nuncio in *Germany,* that *Ferdinand* had represented to the Diet, which was then held at *Augsburg,* That since the Colloquy, which had been proposed as a Means to put an End to all Differences in Religion, had been broken off, there was nothing more to be hoped for that Way: That they must think of restoring the General Council, and of receiving its Decrees: That the Protestants said they would consent to a General Council, provided the Emperor called it in *Germany,* and the Pope did not preside in it, and would submit to it as well as others, and would absolve the Bishops and Divines of their Oaths; and that the Protestants had a deliberative Vote; that

every thing were decided by the Holy Scripture; that all the Decrees made at *Trent* were re-examined: That the Protestants demanded the Peace of Religion, according to the Treaty of *Passaw,* to be confirmed, if the Pope would not consent to these Conditions; since Experience had but too plainly shewn, that no Advantage could be got from a Council in which the Pope should be Master: That he therefore seeing the Impossibility of obtaining these Conditions from the Pope, and not being able to treat with him, because his Holiness would not own him as Emperor, and finding himself press'd other ways by the Diet, had confirmed the Treaty of *Passaw,* and the Decrees of the subsequent Diets.

Peace between France & Spain. Some time after the Pope had notice, that *April 3. 1559.* the Peace of *Chateau Cambresis* was concluded between *France* and *Spain:* That to strengthen this Peace, *Philip* was to marry *Henry II's* Daughter; and that one of the Articles was, That the two Kings should act in concert to procure the Celebration of a General Council, the Reformation of the Church, and the Peace of Religion.

To compleat his Uneasiness all at once, the Pope heard of the King of *France's* Death, which hap- pen'd *July 10. 1559.* That was the only Prince with whom the Pope could take any Measures; so that his Death stuck the nearest to him, and he survived him but one Month, dying the 18th. of *August* following.

Hatred of the People against P. Paul IV. Some time before *Paul IV.* died, the *Roman* Populace, knowing there was no Hope of his Recovery, ran in Crouds to the Capitol all in a Rage, provoked by the Pope's Severity, and the Taxes with which they had been loaden: From thence they went to the Inquisition-House, which was by the *Tiber* Side, in a Place called *Ripetta,* and forcing the Prisons, they released above 400 Prisoners; only taking an Oath from them all that they were good Catholics. Then they set Fire to the Records, and burnt all the Processes that were there. Not content with that, they went to the Monastery of *Santa Maria in the Minerva,* intending to set Fire to it; and they had certainly done it, if some People had not prevented it. This did not satisfy this Rabble, who were incensed with Fury and Rage against the Memory of *Paul IV.* but they came back to the Capitol, and cut off the Nose and Arms of that Pope's Statue, which had been erected three Months before. Two Days after they set up Bills in the Streets, that every Man might break and mangle the Arms of *Paul IV.* where ever they were set up: And they came once more and took off the Head of that Pope's Statue, and were pleased to see a Jew set his own Hat upon its Head; being glad to be revenged of that Pope, who had commanded the Jews to wear yellow Hats, that by that Mark they might be distinguished from Christians. When the People had done all these Affronts to *Paul IV's* Statue, they dragg'd it about the Streets, putting a thousand Affronts upon it, and throwing it at last into the *Tiber.*

Conclave after Pope Paul IV's Death. These Disorders caused the Cardinals to go eight Days later than usual into the Conclave, which lasted near four Months, because of the Artifices and Intrigues practis'd there. The first was that which Cardinal *de la Cueva* try'd, which had like to have taken Effect: He pray'd several *French* and Imperial Cardinals, by *Ferdinand de la Torres,* his Conclavist, only to honour him with their Votes; because it would give him some Reputation in the World, when it should be known that he had had some Votes in the Conclave. These Cardinals thinking that such a Favour might be granted without any Consequence, sent him their Schedules filled with his Name; and he had got so many, that he had infallibly been chosen, if upon the Scrutiny-Day, Cardinal *Capodiferro*

[(a) Our Author seems not to know that our Kings are always proclaimed upon the Day on which their Predecessors die. It was then the Custom for the Kings of *England* to stay in the

Tower till they were crowned: *Queen Elizabeth* was the last of our Princes that did so.]

had not thought of asking some Cardinals that were near him, whom they had given their Voices to? They replying, To Cardinal *de la Cueva*; he began to suspect the business, that that Cardinal might have made the same Request to several other Cardinals, which he had made to him; and so might happen to be chosen, even against the Mind of those that named him. He discovered also his Suspicion to those to whom he spake, and shewed them the Effect which their Imprudence might have produced; which obliged them to tear the Schedule which they had filled with the Name of *la Cueva*, and to make another.

Cardinal *Cornaro*, who was secretly in the *French* Faction, and who was desirous to have the Cardinal of *Pisa*, his Uncle, chosen, who was an Imperialist, applied himself to the *German* and *Spanish* Cardinals, to beg their Voices for his Uncle: He said this Favour was of small Consequence, because they knew the *French* had so small an Esteem for him, that they said that even in the Imperial Faction there was not one single Man that would give him his Voice; and therefore he begg'd it, because it would be for his Honour, that it should be believ'd in the World that his Uncle, whose Birth was so illustrious, and whose Age was sufficient to pretend to the Chair, was not so unworthy as the World gave him out to be. Several Cardinals, who had a Friendship and an Esteem for *Cornaro*, willingly granted him what he desired: However, *la Cueva's* Example opened their Eyes, and they saw the Artifice of *Cornaro*.

Cardinal *Carpi*, who was persuaded that all those Cardinals who had promised him their Voices for the next Conclave, in *Paul IV's* time, whom he singly governed, would not break their Words, began openly to cabal for himself. Hereupon the Cardinal of *Ferrara* applied himself to the Great Duke of *Tuscany*, soliciting him to exclude Cardinal *Carpi*, by means of Cardinal *de Sanctafore* the Head of the *Spanish* Faction; promising, if that succeeded, to procure the Cardinal of *Mantua*, or the Cardinal

de Medicis to be chosen. The Great Duke, having accepted this Proposition, wrote to Cardinal *Cameringo*, who failed not, at that Prince's Desire, to exclude Cardinal *Carpi*. Then the Cardinal of *Ferrara* thought of nothing more than making good his Promise to the Great Duke. This he so well brought about, that Cardinal *de Medicis* was chosen Pope, Dec. 25. 1559. He took the Name of *Pius IV.* and was crowned upon *Epiphany-day*. When the Cardinals came to Adoration, Cardinal *Caraffa* threw himself at the Pope's Feet, to desire him to pardon the People of *Rome* all the Outrages which they had done to the Family of the *Caraffa's* and to the Tribunal of the Inquisition. The Pope was some time before he would grant that Favour: At last several Cardinals having joined their Prayers with Cardinal *Caraffa's*, he promised to pardon the People of *Rome*, upon condition that they would repair the Injuries they had done to Places as well as Persons; and he dispatched a Bull accordingly.

When *Paul IV.* was dead, *Ferdinand*, who knew of how great Importance it was to him to be acknowledged Emperor by the Pope, wrote to *Francois de la Torre*, his Envoy at *Rome*, to pay his Duty to the new Pope, in his Master's Name, as soon as he should be chosen. In pursuance of the Emperor's Orders, *de la Torre* demanded Audience Dec. 30. 1559; which was granted him. When he had made the Compliments to the Pope, which he was order'd to make, his Holiness told him he approv'd of *Ferdinand's* Succession to the Empire, and would write to him with the ordinary Titles; and ordered him to acquaint his Master with this beforehand. When the Emperor received notice of the Pope's Resolution in his favour, he named *Scipio Count de Arcos* his Ambassador; and, without staying for his Departure, wrote to his Holiness, January 16. 1560. Letters to congratulate his Advancement, and to thank him for his fatherly Goodness, whereby he had put an end to the unjust Oppositions and Pretensions of Pope *Paul IV.*

C H A P. XII.

Negotiations concerning the Opening of the Council.

Pope's Propositions concerning holding a Council.

January 10. 1560. the Pope held a Congregation, in which he set forth at great length his desire of reforming the Court of *Rome*, and of calling a general Council; commanding all the Cardinals that were present to consider what Abuses needed Reformation, and to think of Time, Place, and all the other Preparatives for a Council, which might be more useful than that which had been held in the two Preceding Assemblies.

Demand of a Council by the Emperor.

Count *d'Arcos*, the Emperor's Ambassador, came to *Rome* in the beginning of *February*, and had a publick Audience of the Pope upon the 17th. of the same Month; in which, after he had paid his Obedience to the Pope in the Emperor's Name, he most humbly desired him, from his Imperial Majesty, to be pleased now, since *Europe* was at Peace, to call a general Council to quiet all the Differences in Religion. The Pope answered, he designed to do it; and had already held a Congregation of Cardinals for that purpose.

Pope's Propositions to Ambassadors concerning the Council.

When the Audience was over, the Pope was satisfied that he could not avoid calling a Council, because the Kings of *France* and *Spain* joined with the Emperor to make that demand; the first Article of the Treaty of Peace made at *Chateau Cambresis* between those two Princes and his Imperial Majesty, being to oblige the Pope immediately to call a Council, to remedy the Disorders which the new Heresies occasioned, not only in *Germany*, but also in *France* and *Flanders*, where they began to raise those

great Troubles, which were soon followed with a Revolt of a great part of the Low-Countries. And therefore, that he might not be prevented in so just a Demand as that was by so great Princes; and that by deferring to call a Council he might not give an occasion to have it said of him, as had been said of some of his Predecessors, that he would not have a Council, lest they should endeavour to reform the Court of *Rome*; he sent, upon the 3d. of *June*, for the Ambassadors of the Emperor, *Spain*, *Portugal*, *Poland*, *Venice* and *Florence*. All these Ambassadors appeared, except the *Pole*, who was sick. The Pope told them, that he did not call the *French* Ambassador, lest the Quarrel concerning Precedence might prejudice the common Affairs of *Christendom*; for the good of which it was necessary that those two Kings, who were related, should agree together, and principally for the quiet of their own Dominions: That he sent for them to speak to them concerning a general Council, which he was absolutely resolved to call, notwithstanding all the Difficulties which the Princes might start for their own Interests: That he thought of restoring it at *Trent*, a City that had been twice accepted already, and so could not be refused, because the Council which *Paul* and *Julius* had held there, was suspended only, not concluded; so that when the Suspension was taken off, it was again open as it was before: That besides there have several holy Decrees been made there, which it would not be just to call again in question,

The History of the Council of Trent. question, upon pretence of a new Council : That he would order his Nuncio's at the Courts of the Emperor, and the Kings of *France* and *Spain*, to treat with those Princes ; and that he thought it proper to make this Declaration to them, that they might acquaint their Masters.

Emperor's Answer. The Pope received from his Nuncio's, upon this Head, different Answers from the several Princes. The Emperor's Answer was, That he could not engage for the Princes of *Germany* before he knew their Minds ; to know which, he would call a Diet ; but then he must avoid mentioning a Council, because otherwise the Princes would refuse to come to the Diet ; whereas, if it were called upon other Pretences, he might then speak of a Council occasionally : That as for his hereditary Countries, he did not think he could make them acknowledge it, unless the Cup in the Sacrament, and the Marriage of Priests were allowed, and a good Reformation made ; not to speak any more of continuing what had been begun at *Trent*, the very Name of which would shock the *Lutherans* : And lastly, That *Constance* or *Ratisbonne* would be more convenient.

King of France's Answer concerning the Council. The King of *France* sent the Pope this Answer by the Abbot de *Manne*, That he rejoiced at the good and laudable Resolution which his Holiness had taken to call a Council ; but that in order to have it approved of, it was necessary that his Holiness should not say he took off the Suspension of the Council of *Trent* ; on the contrary, he ought to call a new one in a Place much more proper and convenient than *Trent*, where it might be put out of doubt that the Subjects of the Emperor, and of the States of the Empire, Catholics and Protestants, might freely meet ; for which Reason his Majesty thought it proper to let the Emperor chuse a Place where the Council should meet, which he should get all the Members of the Empire to accept ; and then his Holiness ought not to delay to call a Council. That several Cities had been proposed to his Majesty, as *Spire*, *Haguenau*, *Wormes*, and *Triers* ; but he thought none so convenient as *Constance* ; though he, after all, was for having it held where the Emperor and the States of *Germany* should agree.

King of Spain's Answer. The King of *Spain* signified in his Answer, That he approved of the Council's being held at *Trent*, and promised to send his Bishops thither, and to do all that he could in its behalf ; adding, however, That nothing could be done without the Consent of the Emperor and the King of *France*.

Difficulties about the Place where the Council was to meet. The Pope seemed at first to be somewhat uneasy at the Emperor's putting off the taking any Resolutions about holding a Council, till he had conferred in the next Diet, in which he was to meet, with the Princes of the Empire, saying, This was to keep up the Disease in *Germany*, and not to apply a Remedy to it, since the Result of the Diet could not be expected under two Years. But falling of a sudden into the same Apprehensions with his Predecessors, that a Council would lessen the Authority of the holy See ; and considering, That after the Steps he had made, if he sent Nuncio's extraordinary to all the Princes Courts to invite them to the Council, the Publick would have no reason to reproach him as it did his Predecessors, That he would never busy himself to take Pains to call a Council, because of the particular Interests of the Court of *Rome* ; he grew quiet, being persuaded that if after this there was no general Council held, the Fault could only be attributed to the Princes. He contented himself therefore to write in general Terms to the Emperor and the King of *France*, letting them know it was all one to him what Place the Princes would chuse to assemble the Council in, provided it was but secure : Acquainting them with the Necessity of such Security, which Councils had always principally regarded, and which was now greater than ever ; and telling them, That he sent Nuncio's to them, and to other Princes, to repre-

The History of the Council of Trent. sent to them that the Success of the Council would in part depend upon the Place which they should chuse to meet in.

When these Letters were sent away, the Pope nominated *Marcus Sitius*, afterwards Cardinal *Altemps*, his Nuncio extraordinary to the Emperor's Court, who was soon after succeeded by *Stanislaus Hosius*, Bishop of *Warmia* ; *Franciscus Lancius*, Bishop of *Fermo*, to the Court of *France* ; *Reverta nobius* to that of *Poland*. These Nuncio's had Orders to act in such a Manner, that it might appear that the Court of *Rome* had a great Desire to see a Council called, yet so as not to precipitate any thing.

Project of a National Council in France. These Orders were soon changed, by reason of an Assembly held at *Fontainebleau*, August 25. by the King's Order, in order to find out Means to stop the Progress which Heresy made in that Kingdom. For it was there resolved, That a National Council should be held in *France* immediately, to give Order about Matters of Religion, and to apply a speedy Remedy to that Disease, which was already grown so violent, that they could no longer stay for a General Council, which could not be so soon assembled. Now, because the Pope had no Mind to this National Council, which he look'd upon as of evil Example to the *German* Nation, and might rather cause a new Schism, than be a good Means to reduce Heretics ; he wrote to the Cardinal de *Tournon* (who returning from *Rome* to *France* had stopp'd at *Avignon*, being uncertain, upon the account of this News, whether he should go on his Journey) to make all possible Haste to go to his most Christian Majesty, to dissuade him from putting the Resolution which had been taken in the Assembly at *Fontainebleau*, to call a National Council, in Execution ; in pursuance of which, his Majesty had already issued out Circular Letters to the Bishops and Prelates of *France*, to order them to meet, January 20. at *Paris*, to hold the Council : And to labour with all imaginable Earnestness to bring the King of *France* to apply all his Care to the holding of a General Council.

General Council accepted by France. These Orders of the Pope's, Cardinal de *Tournon* did not fail to execute. When he came to *Francis II.* he acquainted him with the Pope's sincere Design to call a General Council, as soon as the Place should be agreed upon ; which in all probability would be quickly done, since his Majesty and the King of *Spain* had promised to agree to that which the Pope and the Emperor should chuse ; and that a General Council would be more advantageous to the Church, and to *France* it self, than a National one. At the same time the King received the Pope's Letters, which the Abbot de *Manne* brought him at his Return from *Rome* ; whereupon, October 14. he wrote to the Bishop of *Angouleme*, his Ambassador at *Rome*, that he was glad to see the Pope so well disposed to call a General Council : That for his part he would consent to every thing, that he might not hinder so good a Work, provided the Emperor and the King of *Spain* were agreed upon the Place : That he could assure his Holiness that he had nothing else in view ; and that if his Holiness would call a General Council, he would not think of a National one.

Proposition made to the Emperor to hold the Council at Trent. Upon the Receipt of these Letters, the Pope solicited the Emperor, by his Nuncio, to consent to take off the Suspension of the Council ; but when he saw what Opposition his imperial Majesty made, because of the Inconveniencies of the City of *Trent*, he proposed to the King of *France* to call it at *Vercelli* or *Casal*. Hereupon the King of *France* wrote to the Bishop of *Angouleme* to acquaint the Pope, that he (the King of *France*) approved of the Resolution which his Holiness had taken, and desired him to communicate it to the Emperor and King of *Spain* ; that so, when it was agreed upon by them, he might proceed to call the Council : He also desired his Holiness to chuse Men of worth to send thither as his Legates, and to take care that the Council be so Free, General, and Secure, that all Mankind may see

The History of the Council of Trent. the Sincerity of his Intentions; and that Protestants and other Hereticks might be induced to come thither by that entire Liberty and Security. As to the Assembly of the Bishops of *France*, his Majesty would give Order that it should go no farther, since it had been resolved upon, and undertaken only in default of a Council: That it was necessary that his Holiness should use diligence in calling and opening of the Council, that when the States of the Kingdom of *France* should meet upon the 10th. of *December* next he might by the opening of the Council satisfy those that should demand that Endeavours might be used that the Disputes about Religion might be regulated, by acquainting them that the Council was actually assembled.

Bull of Indiction of the Council. At last the Emperor having consented that the Council should meet at *Trent*, the Pope held a Consistory, *November 25.* in which he set forth, that his Imperial Majesty having agreed with other Princes that the Council should be held at *Trent*, they ought to endeavour to obtain the Blessing of God for a happy Success upon so holy, so necessary, and so wish'd-for an Undertaking: That the way to obtain this, was to publish an Universal Jubilee; and accordingly he had directed the Cardinals *Sarrazin* and *de Puteo*, to draw a Bull which was signed *November 20. and 24.* of the same Month the Pope opened the Jubilee by a Procession, in which he walked bare-foot, accompanied by the Sacred College, from *St. Peter's Church* to *Santa Maria in the Minerva*.

November 29. the Pope caused the Bull of Indiction of the Council to be read in a full Consistory. When it was approv'd by the Cardinals, he sent it immediately to the Emperor, the King of *France*, and other Princes.

Difficulties raised in France upon the Reception of the Bull. The Abbot of *St. Gildas*, Secretary to the Cardinal of *Ferrara*, whom the Pope had commanded to carry the Bull of calling of the Council into *France*, not coming to Court till *December 15.* found King *Francis II.* Dead the 5th. of the same Month, and his Brother *Charles IX.* in his place, who was then but eleven Years old. He presented the new King with a Copy of the Bull, and with his Holiness's Breve address to the late King, in which he exhorted him to favour the Celebration of the Council, and to send thither all the Prelates of his Kingdom, and prudent, grave, and dignify'd Ambassadors, to assist there in his Name. The Breve and the Bull were examined in the King's Council, which was composed of Princes of the Blood, and the most Eminent Men of the Kingdom; and it was thought adviseable not to accept the Bull, till they knew what the Emperor thought of it; because there was reason to apprehend that his Imperial Majesty, and the Princes of the Empire, would not like the manner of its being drawn up: For tho' it was entituled, *A Bull of Indiction of a General and Occumenical Council in the City of Trent*; yet it was drawn up in such a manner, as plainly shew'd it was no new Call as *Germany* desired; because the Pope declared, that the Holy Occumenical Council which had been twice assembled at *Trent*, and which had made several Decrees, having been suspended by reason of Wars, he quite took off the Suspension, summoning it a-new, with the Consent of the Emperor and the Princes, in the same City of *Trent*, upon next *Easter-day* in the Year following.

Pursuant to this Debate in the King's Council, his Majesty wrote upon *December 24.* to *Bochetel*, Bishop of *Rennes*, his Ambassador in the Emperor's Court, to represent to him, as from his Gallick Majesty, that he liked the Bull of Indiction of the Council well enough, because it was indifferent to him whether it was opened by Continuation or a new Summons, since his Holiness had assured him, that the Decrees already made should be re-examined, and that the Liberty which he would grant to all that would go to *Trent* should be such, that every Man should have reason to be content. However,

The History of the Council of Trent. if his Imperial Majesty did not like the manner of drawing up the Bull, and perceived that it was not acceptable to the Catholick States of *Germany*, he desired him to send immediately to the Pope, to procure such a Reformation as he desired might be made in the Bull; and that for his part his most Christian Majesty would order *la Bourdaisiere*, Bishop of *Angouleme*, his Ambassador at *Rome*, to join with his Imperial Majesty's Minister there, to solicit the Pope to give the Emperor Satisfaction, that so every Man might be satisfied he should receive from the Council that Fruit which he had expected and wisht for from it, now, so many Years.

December 31. the King failed not to write to the Bishop of *Angouleme*, to see the Emperor's Ambassador before he mentioned to the Pope his Master's accepting the Bull of Convocation; that so, if that Minister had Orders from the Emperor, his Master, to demand a Reformation of the Bull, he might also solicit the same thing in his own Master's Name with the Pope; whereas on the contrary, if the Emperor had acquainted his Ambassador that he was resolved to accept the Bull, his Majesty might, upon the Notice which he should give, send the Abbot of *St. Gildas* to *Rome* to carry his Consent.

The Bishop of *Angouleme* writ back to the King, *February 16. 1561.* that it was impossible for him to avoid speaking to his Holiness concerning the Bull of Convocation, and concerning the captious manner in which the Princes of *Germany* would certainly say it was drawn up; because in all his Audiences his Holiness prevented him still, by telling him, that he had an Account from his Nuncio's that the Emperor accepted the Bull, and left every thing to the Judgment and Will of the Pope; that he was amazed that so great and so powerful a Monarch as the King of *France*, who owned no Superior, should yield and submit himself in this Matter to follow the Will of a temporal Prince, who could do nothing in this Business, because it relates to Religion, in which the Pope is the only Person as Vicar of Jesus Christ and universal Father, to whom all ought to be referred, he only having Power and Authority to conduct and regulate Matters of that Nature: But that he had represented to his Holiness, that his most Christian Majesty was not ignorant that his Greatness and Power were absolute and independent in temporal Things: That in spiritual and religious Matters he owned the supream Authority of the holy See: That he was resolved to follow the Footsteps of his Predecessors, and submit to it; but that at this time, when there is occasion for a free and general Council, it was enough for his most Christian Majesty to conform to the Desires and Pleasure of his Holiness, if the Emperor and all *Germany* did not do so too; and therefore it was that he thought himself obliged to wait for their Consent, being persuaded that his Holiness ought not to doubt of his, after those Assurances which he had given of his sincere Desire to see the Council quickly met.

The Bishop of *Angouleme* sent the King word in the same Letter, that he complained to the Pope of his omitting to name the King of *France* in his Bull; and so much the more, because *Paul III.* in his Bull of Indiction, did not make an Omission so injurious to the Majesty and Greatness of the King, which confounded him indiscriminately with all other Kings, as knowing that such an Omission might have altered or cooled, at least, the Hearts of Princes to the holy See, when they should think themselves neglected or dispised by such an Omission. That upon this Complaint the Pope replied, that he did not think of it, and that the Cardinals whom he had ordered to draw up the Bull, thought it was sufficient to name the Emperor and Kings in general; because otherwise, if they named one, they must necessarily name all the rest; and as for him, he minded only the Substance of the Bull, leaving the rest to the Cardinals: That he could not always have his

The History of the Council of Trent. Eye upon every thing; but that he would take care for the future, and command that there should be no Fault committed. At the end of his Letter he adds, that in execution of his Majesty's Orders he had seen the Emperor's Ambassador, who told him, that he had no Letters from his Master, only a Copy of that which he had written to the Pope, and of the Answer which he gave in Writing to *John Francis Commendone*, Bishop of *Zant*, Nuncio to the German Princes, who had been employed by the Pope to put the Bull of the Council into the Emperor's Hands: That by the Copy of that Letter, and the Answer made to the Bishop of *Zant*, the Emperor declared, that as *Ferdinand*, he approved the Bull, resolving to adhere absolutely to the Will of the Pope, and promising to use his utmost Efforts to get all the Princes of *Germany* to do so too; but as Emperor, he could say nothing till he had received an Answer of what should be negotiated by the Pope's Nuncio's, and his own Ambassadors, with the Princes then assembled at the Diet of *Naumbourg*.

The Diet of the Protestants at Naumbourg. The Protestant Princes of *Germany* having notice of the calling of the Council, summoned a Diet at *Naumbourg*, a City in the upper *Saxony* upon the *Sale*, to deliberate upon what they were to do: This obliged *Zacharias Delphinus*, Bishop of *Pharos* or *Iesna* in *Dalmatia*, and *John Francis Commendone*, Bishop of *Zant*, who were nominated as Nuncio's to the German Princes, to go, *January 14.* from *Vienna*, that they might find those Princes at the Diet, and put the Pope's Bull and Breve into their own Hands, according to the Orders which he had given them. The Emperor sent along with those two Nuncio's his own Ambassadors to the Diet, to exhort these Princes to contribute on their part to the Peace and Union of the Church, by sending Ambassadors as he did to the Council. They did not arrive till *January 28.* when the Diet was actually opened. They began with the Necessity which those that had separated from the Church of *Rome* lay under, to agree among themselves in the same Profession of Faith; since otherwise it would be easy for the Catholics to condemn them, and no Man could say ought against it; since their own Doctors treated one another as Hereticks, as had been seen in the last Colloquy at *Wormes*, in which they themselves furnished the Catholics with Arms to beat and destroy them with a strange Advantage. Some answer'd in this Diet, that there was no considerable Difference between those that were separated from the Church of *Rome*, since they were all united in the essential Point, namely in the Confession of *Augsburg*, which they had all embraced, and which was the Foundation and Exposition of their common Doctrine, which they ought strongly to maintain against the Enterprizes of the Pope, and of his Council. But Duke *John Frederick* of *Saxe-Weymar*, who after the Example of his Father, always profest *Lutheranism* unmixed, could not suffer a Proposition which to him appear'd ridiculous and impudent. He publicly said, that to talk in that manner was to mock the World; and that after all that their Ministers had written and said, and do so still every day against one another in their Writings and Sermons, a Man must be deaf or blind not to perceive the Variety of their Opinions, and of their Belief in the principal Articles of Doctrine.

Christopher Duke of *Wurtemberg*, and several others, joined with *John Frederick*, and in order to make them agree, was for having them all sign the Confession of *Augsburg* a-new, as it was presented in 1530. to *Charles V.* and that all other Editions should be repealed; and the *Zuinglians*, and all other Sects, contrary to the Doctrine contained in that first Confession, condemned; that so all *Lutherans* acting uniformly might present the same Confession to the Council, lest, if every one should present his own as different from the rest, they should expose themselves to the Contempt and Scorn of the Papists. This

The History of the Council of Trent. Opinion was at first followed; but *Frederick*, Elector *Palatine*, who had already some Tincture of *Calvinism*, *Augustus* Elector of *Saxony*, and *Charles* Marquis of *Baden*, who floated between both Parties, would never consent to it, unless some Articles were taken out of that Confession, which they said favoured the Errors of the Papists, and a Preface were added to explain some of those Articles in a Sense that might favour the *Zuinglians*. These Princes, by their Authority, brought several over to their Opinions; and since they would not condemn those of other Sects, believing they ought to hear them first, after ten days Debate they could not agree upon this important Article; and Duke *John Frederick* was so uneasy at them, that he called the Elector of *Saxony*, his Father-in-law, a Sacramentarian publicly, which is the greatest Injury that can be done to a *Lutheran*, and then withdrew from the Assembly.

As to the other Point they were to debate about, namely, Whether they should receive the Council, they all agreed to declare, they would; but upon such Conditions as they well knew would never be accepted.

The Emperor's Ambassadors being arrived (as we said before) at *Naumbourg*, *January 28.* with the Nuncio's, went to the Diet the next day; where having shew'd their Commission, the Princes answered them in few Words, and with much Respect, that they most humbly thank'd his Imperial Majesty for the Care he took to procure Peace: That for their Parts they desired nothing so much, as to see quickly a holy Re-union of all Christians in the same Belief: That in order thereunto they were all ready to consent to a free and Christian Council, where the Word of God, and not the Pope, should be the Judge; where Bishops, absolved from their Oaths of Fealty and Obedience to him, might speak with absolute Freedom; and where the Divines whom they should send might have a Right to vote: And that when they had conferred with the other Protestants who were not at the Diet, and knew their Minds, they would give a fuller Answer to his Imperial Majesty.

After this Answer, the Ambassadors acquainted the Diet, that his Imperial Majesty desired them to give the Nuncio's an Audience: To which the Princes replied, they would consider of it. *February 3.* they acquainted the Nuncio's, that they would give them Audience on the Morrow-morning. *February 4.* the Electors *Frederick* Count *Palatine*, and *Augustus* Duke of *Saxony*, sent them a Company of their Guards, with four of the principal of their Council, who after they had conducted them to their Coach, accompanied them walking on Foot at the Head of the Guards to the Place of Meeting. When they came into the Hall of Audience, they found the Princes standing and uncovered, who received them with much Honour and Respect, and did not sit till they had very civilly desired the Nuncio's to sit, and not then neither till they were sat. The Elector *Palatine*, who was President, and the Elector of *Saxony*, had the Place of Honour in the middle, both sitting upon one Seat covered with Velvet. Below, at their right Hand, were the Elector of *Brandenburg's* Ambassador's, *Ernest* and *Philip* of *Brunswick*, and several other Princes. The Nuncio's sat over against them upon one Seat, covered also with Velvet, as were those of the Princes, to whom they presented to each one in particular a Copy of the Bull of calling the Council, and a Breve from the Pope, which they all received with great Respect. *Delphino*, the Bishop of *Iesna*, after a few Moments of profound Silence on both Sides, made a handsome short Harangue; in which having briefly set forth the Reasons which obliged the Pope to call a Council in behalf of the German Nation, which he infinitely esteemed, he exhorted them on his part to send their Ambassadors and Divines thither, to whom all manner of Security should be given; assuring

The History of the Council of Trent.

assuring them, that they should not only be received with all imaginable good Will, but also fully satisfied in all that Conscience and the Law of God would allow them to grant: That the Council intended to approve all that could be approved, and to reject all that ought to be condemned, that so in all the Churches of Germany there might be but one Spirit and one Faith, and that they might no longer have occasion to say, That in this strange Diversity, or rather Confusion of Opinions that were amongst them, there were as many Religions as Heads, and as many Gospels as Preachers.

John Francis Commendone spake next, and principally insisted upon the Necessity there was of a perfect Union, that they might all jointly oppose the Infidels, who endeavoured to take the Advantage of this deplorable Division amongst Christians, to oppress them; and upon Reasons to prove, that there was no Remedy for that great Evil, but a general Council, in which the Articles of Faith, which was the Foundation of their Salvation, ought to be decided; and without which, there was no Security for the Empire, which was established only upon the true Religion, as had been plainly seen by the Ruin of that of Constantinople.

When the two Nuncio's had done, the Princes consulted some time together, and then acquainted the Nuncio's by the Elector Palatine's Chancellor, That when they had examined what had been proposed to them from the Roman Pontiff, they would return an Answer. Then the Nuncio's were reconducted to their Lodgings in the same Manner as they had been brought to their Audience; but a Quarter of an Hour after, they were strangely surprised when three Counsellors brought them back all their Breves, and told them, that when the Princes found them superscribed *Dilecto Filio Nobili Viro*, which they had not observed at first, they would not receive them, because they did not own the Bishop of Rome as their Father. The Nuncio's might tell them, if they pleased, that Popes wrote so to all Christian Princes; it was all one, for these People made no Reply, but threw the Breves all unopened upon the Tables, and then went away. Ten Days after, the Princes sent ten of their Counsellors to the Nuncio's, to give them their Answer: Among whom was George Cracovius, a learned Man, and a particular Friend of the Elector of Saxony's, who spake for the rest, and said, that it was false, that they were divided into several Sects, because they all followed the Confession of Augsburg, which contained the true Doctrine of Faith: That they would send the Pope no Answer to what had been proposed to them from him, because they acknowledged in him no Jurisdiction or Authority, and much less that of calling a Council: That the Emperor was their Sovereign Lord, to whom they would give an Account: That for their Persons, they esteemed them, and would do all they could for them, as well in consideration of a Commonwealth (*), of which they were Members; which was their good Friend and Ally, as in consideration of their personal Merit: And that they would have received them with greater Testimonies of good Will and Respect, if they had not been Nuncio's of the Pope.

* Venice.

Result of the Diet at Naumburg.

February 27. the Diet rose, after they had made a Decree, testifying, That they would all stand by the Confession of Augsburg, explained in such a Manner as should be most proper to make it common to all those who had been accused of swerving from it: And for that Reason they would meet again April 22. at Erfurt.

Nuncio's Reception by the Protestant Princes of Germany.

In the mean time the two Nuncio's divided their Business between themselves; and each took his Share of Germany, as the Pope had commanded them. The Bishop of Lesina took the Upper Germany, and the Bishop of Zant the Lower: This latter resolved to go directly first to Duke John Frederick, who left the Princes Diet, and retired to his

City of Weymar; but that Prince, who following the evil Example of his Father, had always more obstinately adhered to Lutheranism than all the rest, commanded a Counsellor of his, whom he had left at Naumburg, to acquaint the Nuncio, That since he neither could nor would have any Commerce with the Pope, it was not convenient that the Nuncio should give himself so needless a Trouble as to go to him.

The Elector of Saxony took a different Course; for after he had sent to make his Excuses to the Nuncio Commendone for the Answer which had been given him against his Advice and Inclination, which led him to procure the Peace of the Church with all his Might; he gave him Letters, by which he ordered the Magistrates of all the Cities of his Dominions through which the Nuncio was to pass, to receive him honourably, and to give him a Guard to conduct him to the Frontiers of the Electorate of Brandenburg.

Joschim II. Elector of Brandenburg, received him at Berlin with all possible Honour. Of all the Protestant Princes, he came the nearest to the Catholics. Nothing could be more gentle or more obliging, than the Reception which that Elector gave the Nuncio. He received the Pope's Bull and Breve with all the Marks of Esteem and Respect which could have been desired in a Catholick Prince. He read them, and promised to answer them, as he did in a very respectful manner. He treated the Nuncio magnificently for the five Days, which he kept him there. He proposed to him at Table, the Difficulties which he had about the Authority of the Council, to which he was invited; and the Conditions which the Protestants demanded, in order to assist there, and to submit to it: And he seemed to be so well satisfied with Commendone's Answer, that he could not forbear saying, with a great Sigh, as if he had been convinced by his Reasons, *In truth, my most reverend Lord, you set me exceedingly upon thinking*. But the Engagements that Prince was under, humane Respects, and above all, the Churchlands which he had re-united to his Demains, as other Protestants had done, prevailed above his Conviction and good Inclinations; in spite of which he only made this Answer, That since this Affair belonged to the common Interest of all the Princes of the Augsburg-Confession, with whom he had strict Alliances, he could not with Honour separate from them, nor conclude any thing without them; and that he would contribute his utmost towards Peace. From Berlin, Commendone went to Marquis John of Brandenburg, the Elector's Brother, who received him very handsomely, and assured him, That in two Days he would send him his Answer. That he did by his Chancellor. This Answer Commendone believed to have been drawn up by the Chancellor, because there was not only nothing in it of that good Manners which the Marquis of Brandenburg had shewn him; but there were even some things in it very disobliging; as among others, That the Invitation of the Princes to the Council, was to throw them into the Jaws of the Lyon; and that the Nuncio's Sweetness was an Italian Sweetness, which would be turned into Rage at Trent against the Protestants, who would there be torn to Pieces, if they should be so unhappy as to go thither.

This Answer Commendone had reason to believe to be the Chancellor's, and not the Marquis's, who spoke much more civilly and gently to him, and did him the Honour to invite him to dine with him, and gave him his Hand at his own House, still keeping himself uncover'd. When the Nuncio went from Bresca, he returned to Berlin, to present the Bull also to the Archbishop of Magdeburg, who went much farther; for he promis'd to go himself to the Council, where the Pope, in whose Praises he launched out, should have no Bishop more faithful or more devoted to him than himself; but these Promises came to nothing.

After

After this, the Nuncio *Commendone* visited all the other Protestant Princes, from whom he could obtain nothing. The Catholics, particularly the Archbishops and Bishops, accepted of the Invitation; but almost all of them excused themselves from going in Person to the Council; because they could not go so far from their Diocess, which were surrounded by *Lutherans*.

From thence he went into the *Low-Countries*, where he received the Pope's Orders to go into the *North*. Accordingly he went to *Lubeck*, where he waited for a Pass, which he sent to demand of *Frederick II. King of Denmark*, that he might carry him the Bull and Breve which the Pope directed to him but this whole Journey was to very little purpose: For the Protestant Divines and Lawyers met about the latter end of *April* at *Erfort*, as it had been agreed at *Naumbourg*, to draw up a Confession of Faith which might serve in common to all Protestants. Accordingly one was drawn up in ambiguous Terms, which they all signed, to make the World believe that they had but one belief: And after that, upon the notice they had, that the Emperor took Measures to get his Son *Maximilian* elected King of the *Romans*, they secretly treated among themselves to get the Election to fall upon a Prince of their own Party; and they cast their Eyes upon the King of *Denmark*, who being a young Prince but Twenty seven Years old, full of Fire, and exalted with the Victories which he got in the beginning of his Reign, easily suffered himself to be persuaded that he might be chosen King of the *Romans*; in the hopes of which he acquainted the Nuncio *Commendone*, that since neither the King his Father, nor he, ever had any Commerce with the Pope, it was not convenient for him to receive a Nuncio from the Pope.

After this, *Commendone* staid sometime at *Lubeck* to wait for a Pass from the King of *Sweden*. That Prince sent him word, that being just ready to embark for *England*, waiting only for a favourable Wind; if he would meet him there, he would give him Audience. But it was easily fore-seen, that *Queen Elizabeth*, who refused to receive the Abbot *Martinengo*, whom the Pope sent to her, would not suffer *Commendone* to land in her Kingdom: So he was recalled to *Rome*, whither he went back.

The Bishop of *Lesina* had not much better Success with the Imperial Cities of the *Upper Germany*. The Senate of *Nuremberg*, the Cities of *Frankfort*, *Strasbourg*, *Augsburg*, and *Ulm*, made him like Answers, that they were all united with the Protestant Princes in the same Profession of Faith, according to the *Augsburg-Confession*; and consequently, that they could conclude nothing in the Matters proposed to them, but joyntly with the rest.

Canobio was very well received in *Poland* by King *Sigismund Augustus*. The Pope had given him Orders to go into *Muscovy*; but that Prince dissuaded him, because of the Wars then on foot between the *Poles* and the *Muscovites*, representing to him, that his Person could not be secure among those Schismatics, amongst whom he would not find so much as Lodging. He gave him Letters of Recommendation to the Duke of *Prussia*, who made this Answer to the Pope's Desire, that he would send to the Council; that being of the *Augsburg-Confession*, he own'd no Council held by the Pope.

The *Switzers*, who held their Diet at *Oberbadon*, near *Zurich*, gave Audience to *John Antonio Volpi*, Bishop of *Como*; and when he presented the Pope's Breve, one of the Burgo-Masters of *Zurich* kissed it; but when the Proposition concerning the Council was put to the Question, the Catholick Cantons answer'd, they would send to it; and the Protestants declared, they would never own it.

The Pope preceiving that the time of the Opening of the Council approached, named the Legates that were to preside there: The first was *Hercules de Gonzaga*, Cardinal of *Mantua*, a Man very considerable for the Greatness of his House, and the Re-

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putation of his Brother *Ferdinand*, Governor of the *Milaneze* for *Charles V.* and upon the account of his own Merit. The Pope who promised himself a great deal from the Prudence of that Cardinal in that Employment, made use of the Emperor's Mediation to get him to accept it after he had refused it, as looking upon the Success of that Affair as uncertain as the Trouble was certain. He appointed for his Colleague *Jacobus de Puteo*, a Cardinal, Bishop of *Nice*, who had been long in the *Rota*, and the *Sig-nature*; and besides he erected a Congregation to prepare whatsoever might relate to the Council.

At the same time Monsieur de *Rambouillet* came to *Rome*; he was sent by his most Christian Majesty to make a Visit to his Holiness, till Monsieur de *P' Isle*, his Ambassador, should arrive. He had Orders according to his Instructions, dated *May 7. 1561.* to represent to the Pope, that one of the greatest Designs which his Majesty had in this World, was to see the Affairs of Religion tend towards an Accommodation by a free and general Council; that his Holiness might promise himself that his Majesty would not assist him less than the late King, his Brother would have done, if he had lived: For since he equally inherits his Zeal and Affection for Religion, he is willing to let his Holiness know in the most lively manner that he can, with what Ardor and Zeal his Subjects all unanimously desired by their Deputies in the States of the Kingdom, lately Assembled at *Orleans*, that he would with all Diligence procure from his Holiness that a Council might be held, without which they had no Reason to hope that they could easily live in Peace: And last of all, to let him know, that if his Majesty saw that the general Council tarried too long before it opened, he should be obliged to have recourse to a National Council, as the proper and agreeable Remedy for those Evils with which his Kingdom was afflicted.

In the first Secret Audience, which the Pope gave to Monsieur de *Rambouillet*, he told him, that no Man desired to see the Council called more than he did, as his Actions and Conduct manifested: And that if there had been hitherto any delay, it ought not to be imputed to him, but to the different Opinions of Princes: That to satisfy them, he had put forth his Bull of Indiction in the best and properest Form, which he could think of to content them all, that he hoped they should find he could not have done any thing else: And that they ought not to apprehend that he would Recoil in a Matter which concerned the Honour of God, Religion, and his Conscience.

Easter approaching, and Cardinal de *Puteo* being dangerously Sick, the Pope named *Hierome Seripandus*, in his Place, to be Legate in the Council; who from general of the *Augustinians* had been made Archbishop of *Salerno*, and then Cardinal for his eminent Virtues, his admirable Eloquence and his Learning, of which he has left us illustrious Marks; and order'd him to go directly to *Mantua*, there to take up his Colleague, and carry him to *Trent*. This, however, was not done with that Diligence that was required; for they did not get thither before Tuesday in Easter-Week, which was *April 16.* They found there but nine Bishops that expected them. The Pope did all he could to hasten the *Italian* Bishops; he wrote very pressing Letters to the Vice-Roy of *Naples*, and to his own Nuncio at the Vice-Roy's Court: He ordered his Relations to sollicite the Bishops of the *Milaneze*; and he desired the Republick of *Venice* to send away the Bishops of their Dominions in *Lombardy* for *Trent* immediately, and to command those of *Dalmatia*, *Cyprus* and *Candia*, to make what haste thither they could; exhorting the Senate also to nominate Ambassadors to assist at the Council in their Name. But yet for all this, the *Italian* Bishops did not make much hast, well perceiving that the Council could not be opened before they had the Emperor's Consent, who still delayed upon the Account of the Protestants; and

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King of France's demand of a Council

Seripandus nominated Legate in the place of Puteo.

Legates Arrived at Trent.

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that it was to no purpose to be there before the French and Spaniards were come into Italy; besides, that most of these Bishops, and particularly those that belonged to the Court of Rome, did not think the Pope's Proceedings could be approved without it. This was Monsieur Ramboüillet's Opinion, the Ambassador of France, who in his Letters to the King, said thus, ' Sir, I would not assure your Majesty too much, that this Uneasiness which the Pope shews at the Council's not being yet open'd, is real; but be it never so pretended, I can't see

how he can go back, when once your Majesty and the Emperor are agreed.

In truth, the Pope desired a Council, because he could not help it; for which reason he used to say, *The Evil he suffered by deferring was certain; but what he might suffer by calling it, was uncertain*, and he found that Proverb was true, *That an Evil had better be once felt, than always feared*, and that during the Expectation of the Council, the Enemies of the holy See, and of himself, would do him more Mischief than they could do whilst the Council sat.

CHAP. XII.

The History of the Disturbances concerning Religion, which happened in France: Of the Estates at Orleans: Of the Colloquy and Assembly at Poissy.

Prosecutions of the pretended Reformed in France under Henry II.

THE number of the pretended Reformed being exceedingly encreased in France, they began to raise Cabals and Factions; and having gotten the King of Navarre, the Prince of Condé, the Chastillions, and many other considerable Persons of the Robe and of the Sword, into their Interests, they undertook to protect themselves from the Punishments which were inflicted upon them, and to obtain by Force or Good-will the free Exercise of their Religion. King Henry II. had always been inflexibly rigorous against Innovators. June 10. 1559. he assisted at a Debate of the Councillors of the Parliament, concerning Religion, and openly declared himself against those who seemed to favour them in their Opinions, and arrested upon the spot du Faur, and Anne du Bourg, and seized upon the President Ranconnet, Antony Fumée, Paul de Foix, and Eustache de la Porte, in their Houses. Notwithstanding this, the Ministers of the pretended Reformed assembled still at Paris, and held a Synod there, in which Francis Morel presided; wherein they made Constitutions, after their Manner, concerning the Election and Duties of Ministers, concerning Censures, Marriage, Divorce, Degrees of Consanguinity, and the like, that there might be Uniformity throughout the Kingdom. They got the Ambassadors of the Electors and Protestant Princes to ask a Conference of the King, and to desire his Majesty to stop the Rigor of his Prosecutions; but it was all to no purpose.

Prosecution of the Hugonots under Francis II.

Francis II. continued those Prosecutions, and named the President St. Andrew, and Dr. de Mouchi, to enquire after the Hugonots. Those Judges having corrupted some of those that had been in their Assemblies, learnt of them the Places and Hours where they met, seized several, and others were obliged to fly.

Conspiracy of Amboise

Anne du Bourg was condemned to be burnt, and was executed at Paris, Dec. 18. 1559. The other Councillors of Parliament were absolved. The Hugonots were sought after, and punished in the other Cities of the Kingdom. This Rigor occasioned a Conspiracy of a very great number of Persons, who were to come in Troops to find the King, and to demand of him Liberty of Conscience, and that the Guises might be removed from the Government. This Design having been discovered, and most of the Conspirators killed or dispersed, a War was raised in Provence, Languedoc, and Poitou. These Disorders brought on the Design of holding a national Council in France: But that a quick Remedy might be given to the present Evils, the King called an Assembly at Fontainebleau, August 20. 1560. The Chancellor set forth the Necessities of the Kingdom. The Admiral presented a Petition, which he said had been given him in Normandy, by Persons whom he could not refuse, who desired him to present it to the King; in which they demanded, that the Ri-

gor of the Laws against the pretended Reformed might be abated, and that they might have a free Exercise of their Religion. He added, that when he desired the Normans to sign this Petition, they told him that 50000 Men would sign it, if there were occasion. John de Montluc, Bishop of Valence, and Charles de Marillac, Archbishop of Vienne, declaimed against Abuses, and spake of Reformation. The Duke of Guise, and the Cardinal of Lorraine, declared against the Petition, and were for making no Alterations. Opinions being thus divided, the King published an Edict, August 27. by which he summoned the States to meet at Melun, December 10. and commanded the Bishops to assemble January 13. When the Pope received this News, he wrote to the Cardinal de Tournon to use his utmost Endeavour to hinder that Assembly of the Bishops. The mortal Sickness of King Francis II. hindered the Meeting of the States at Melun. That Prince died December 5. 1560. and was succeeded by Charles IX. his Brother, then but ten Years old. Queen Catherine de Medicis, Regent of the Kingdom, and her Council, being willing to obviate the Troubles which encreased every Day, resolved to hold the States at Orleans; and they were opened Jan. 13. 1561.

Death of Francis II.

State at Orleans.

Among other Propositions which were made there for the Good of the Kingdom, the Chancellor remonstrated, ' That Religion had more force upon the Minds of Men, than all their Passions and Affections, and that the Knot with which it ties them, is stronger than all the other Bonds of civil Society; since Unity in Religion maintains Peace in a Kingdom, as much as a Diversity of Belief occasions Trouble and Division: That Religion makes Men despise their Wives, their Children, and all their Relations; that Fathers cannot agree with their Children, Husbands with their Wives, nor Brethren with one another, when once a Contrariety in Religion creeps in among them: That they wanted a Council to remedy those Disorders; that the Pope had made them hope for it, but that whilst they are waiting for a Council, they must not suffer every Man to embrace what Religion he has most mind to, and thereby introduce new Customs, to the prejudice of the Publick: That if the Pope would not call a Council, the King must provide some other Way; but that Manners must in the first place be reformed: That the reproachful Names of Lutherans, Hugonots and Papists, ought to be banished; and they ought to defend themselves against those who covered their Covetousness, Ambition, and Restlessness of Temper, with the specious Name of Religion.

John L' Ange, Advocate of the Parliament of Bourdeaux, spake in the Name of the third Estate, and said several things against the corrupt Manners of the Ecclesiasticks; taxing them with being the Cause of all their Evils, through their Ignorance, Avarice and

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and Luxury; and concluded, that these things ought to be remedied by a speedy calling of a Council.

James de Silly, Count of *Rocheport*, Deputy of the Nobility, complained of the giving to Ecclesiasticks, who ought only to attend to Prayer and Preaching, a Right of proceeding against the Life and Goods of the Members of the Kingdom; and presented a Petition for the publick Exercise of the pretended Reformed Religion.

John Quintin, Canon of *Autun*, and Dr. of Law, Deputy of the Clergy, said, That the States used to meet to provide for the Good of the State, and not to reform the Church; that those that desired separate Churches, ought not to be hearkned to; that it was just in the King to oblige all his Subjects to believe and live according to the Form prescribed in the Church, and to punish those that are infected with Heresy, with Death: He demanded that the Clergy might be discharged from paying Tenths; that the Right of Election of Bishops might be given to Chapters, and that the Privileges and Immunities of the Clergy might be confirmed.

The King order'd all the Prelates to prepare to go to the Council: He commanded, That all Prisoners seized upon, on the Account of Religion, should be set at Liberty, and the Proceedings against them made void and null; gave them an Amnesty for what was past, and restored them to their Estates: He exhorted all his Subjects to follow the antient Usages of the Church, without introducing any Innovations: The other Affairs were remitted to May following, as well as the Answer to the Petition of the Count de *Rocheport*.

It was resolved in these States, that the Bishops should be chosen by the Clergy, with the Intervention of the Royal Judges, twelve of the Nobility, and twelve of the Commonalty: That no Money should for the future be sent to *Rome* for Annats: That all Curates and Bishops should personally reside, upon Pain of losing their Temporalities: That two Prebends should be reserved in all Cathedrals, one for a Divinity Lecture, the other for a School-master to teach Children: That all Abbots, Abbesses, Priors and Prioresses, should be subject to Bishops, notwithstanding any Exemptions: That no Fee should be exacted for the Administration of the Sacraments, nor for Burial, and other spiritual Functions: That Bishops shall excommunicate no Man, but for publick and scandalous Crimes: That Monks shall not be profest before they are twenty five Years of Age, nor Nuns before they are twenty, and that before that Age, they may dispose of their Estates to whom they will, so it be not to Monasteries; and that Church-men shall be incapable of reaping Advantage by a Will. Some other Regulations were also made for the Reformation of the Church and of Church-men; but they were never published, nor put in Execution.

Whilst these things past in the States, there was a Conference (d) between some Doctors of the *Sorbonne*, and some Ministers, at *St. Germain* in *Laye*. The first thing they examined was, whether Images were to be honoured and suffered in Churches. *Theodore Beza* spoke for the *Hugonots*: *Pelletier Espenceus*, *Salignac Bouthillier* for the Catholics. The Conference began *January* 30. and ended *February* 8. The Ministers were divided; some declared openly against Images, and were for removing them absolutely; others were for preserving them for the Instruction of the ignorant; but that no Honour should be paid to them.

The former grounded their Assertion upon these Words in *Exodus*, *Thou shalt not make any graven image*: From whence they concluded, That God having forbidden all Sorts of Images by these Words, and having given a Commandment on purpose, it could not be contravened without Offence. They added besides, that it could not be shewn for the four

first Ages of the Church, that there were Images in Christian Churches, or that if there were any, and that some sort of Veneration were payed to them, yet that did not last long, because we see on the contrary, that they were condemned in the Councils of *Elvira* and *Frankfort*; and the Council of *Nice* was so far from approving of them, that it entirely rejected their Use as unlawful. They here made use of the Authority of a Book of *Charles the Great's*, which is directly contrary to the Worship now paid to Images: They added, that if they would make use of the Authority of the Primitive Fathers, they had *St. Cyprian*, *Origen*, *Lactantius*, *St. Ambrose*, and several others on their side: That the Sole Epistle of *St. Epiphanius* to *John of Jerusalem*, translated by *St. Jerome*, was sufficient to stop the Mouths of the Catholics; since it is there said, that that Doctor tore a Veil, on which was the Image of *Jesus Christ*, declaring, that it was forbidden in the Holy Scripture to use such Images: And lastly, that *St. Gregory*, in his Letter to *Serenus*, never allows Images unless it be to recall to Mind those whom they represent, and not to worship them, as the Church of *Rome* does, where they are frequently exposed in Churches, made in such a manner as tends to disguise the Truth of real things. Among others, they mentioned the Images of the Trinity, in which God the Father is described contrary to Truth, drawn as a venerable Old Man, whereas he is invisible as well as incomprehensible, and a Being whom no Time can change.

To these Objections the Catholics answered, that it was to no purpose to urge the Passage in *Exodus* against them; because they made no graven Images to worship them, which was the very thing that was precisely forbidden by God; for otherwise, he would not have ordered *Moses* some Days afterwards, to make in that Tabernacle, of which he gave him a Pattern, the Images of two Cherubims, who were to cover the Ark with their Wings, if the Prohibition made before, had related to Images as such, and not strictly as things to be worshipped: That if the Protestants pretend that Catholics worship Images, they are ready to own it, by declaring, that there is nothing in this Worship contrary to God's Command, since it is not the Image, but God whom it represents, who is worshipped; and herein they act conformably to several Places of Scripture, which teach, that God has not only commanded Images to be made, but has also manifested himself to the Patriarchs and the Prophets, by several Figures; under which he was willing to be worshipt.

As to what the Protestants say, that it cannot be shewn that in the four first Ages of the Church, there were any Images in Christian Churches, or that if there were, any sort of Veneration was ever paid to them; to let them see the contrary, the Catholics quoted *Martialis*, *Tertullian*, *Lactantius*, *Eusebius*, *St. Athanasius*, *St. Basil*, *St. Gregory Nyssen*, *St. Paulinus Prudentius*, *St. John Damascen*, *St. Gregory*, and *Nicephorus*, who all bear witness to the Antiquity of Images in Churches, to instruct Men, and to bring them to reverence the Saints; and that though the Use of Images could not be shewn as set down in these Fathers of the first Ages of the Church, yet it was because Tyrants would not suffer them; neither would they suffer Christians even to build Churches; or because the Faithful were afraid that their new Coverts might relapse into Idolatry. So that we ought not to conclude with the Protestants, that Images may not lawfully be used in the Church, when it enjoys a profound Peace; because several Customs which were not observed in the Primitive Church, were afterwards received, and several abolished and reformed, according as Times, Places, and the Disposition of Persons seem to require it for a greater Good.

Catholics Answer to Ministers Arguments against Images.

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Conference concerning Images.

Ministers Reasons against Images.

[(d) Monsieur du Pin takes notice in his *Errata*, of his Mistake in placing this Conference this Year; for it was not

held till next Year after the Colloquy of *Poissy*.]

As to the two Councils, in which the Protestants said, That Images were condemned, the Catholics answered, they were not general, but national; and even that of *Frankfort* were never approved by Pope *Adrian*, who then sat in the Holy See. As for *Charles the Great's* Book, the Catholics were divided; some questioned whether it was his, others affirmed it were: But still, though that Book were *Charles the Great's*, it had no Force against the Authority of the Universal Church, guided by the Holy Ghost, which always permitted the Use of Images, and still permits them.

Nor could the Protestants urge the Authority of the Fathers against the Catholics without an Abuse, since these Holy Doctors always spake against *Idols*, and never against *Images*; and if some Passages may be found in their Writings, in which they speak against *Images*, it is only when there had been some Abuse.

And the Action of *St. Epiphanius*, when he tore the Veil on which was the Image of *Jesus Christ*, proceeded from a Zeal not according to Knowledge; and the only thing which *St. Gregory* forbids in his Letter to *Serenus* Bishop of *Marcellus*, was, to worship Images as they worshipt God. Which he proves in another Place, when speaking of himself in his Letter to *Secundinus*, he confesses, that he prostrated himself before our Saviour's Image, not to worship it, but to adore him whom it represents.

The Catholics also declared to the Protestant Ministers, that if there were any Places, where Abuses were ignorantly committed with Relation to Images, this ought not to be imputed to the Doctrine of the Church of *Rome*, which condemns them; and that those Things might be easily regulated by instructing the People.

The Queen perceiving, That this first Article concerning Images had taken up six Conferences; and that since, after so many learned Disputations, they could not agree upon the easiest Article of all, there was Reason to believe they would agree yet less upon all the rest, which were of greater Importance: Therefore, that Disputes might not be multiplied, from whence nothing was got, besides dangerous Animosities, she thought it convenient to put an End to those Conferences, and to send back the Doctors of the *Sorbonne* to *Paris*, there to put their Opinions concerning those Articles, which were to be examined altogether, in Writing, and also to send the Ministers home, to do the same thing on their Part; and she desired the Divines of *Cardinal d'Este*, to take pains upon these Subjects. She likewise acquainted the other Doctors of the Kingdom, that they also might give in their Opinions, and lodge them in the King's Hands, to be sent to the Pope, or to the Council, according as his Majesty should judge convenient. But the Doctors not agreeing, the Bishops of *Sees* and *Valence*, with *Salignac*, *Bouehilier*, *Espenceus*, and *Picherellus*, conferred together. *Espenceus* drew up the following Writing, and presented it to them, which they all agreed to.

Especially
with Opini-
on concern-
ing Images.

' In the first Place, it would be convenient to remonstrate, that no private Person ought to prevent the publick Authority in reforming the Abuse of Images; but that all and every Person ought to stay till the King, by the Advice and Authority of the Church, shall provide; and besides, that in the mean time, no Image be set up without the Bishops Leave.

' II. To remove this Abuse from Mens Minds, according to *St. Augustin's* Advice, let Parsons and Vicars in the first Place declare and preach to their Parishioners, that as to Temples and other publick Places, Images were received by the Ancients in Churches for Instruction, and the Representation of the Benefits of our Lord *Jesus Christ*,

that we may give him Thanks; and those of Holy Men and Women were erected to put Christians in Mind of them, and to propose them to their Imitation.

' III. Since Images are the Books of the Unlearned, That it be supplicated and remonstrated, that scandalous Images be wholly taken away, such as that of the Trinity, as it is described in several Places; those also of Saints, that are indecent, unknown, and whose Lives are rejected as Apocryphal by the Church.

' IV. That all Images, except Crucifixes, be removed from Altars and set up in the Walls of Churches, in Places where they cannot be adored, saluted, clothed, crown'd with Flowers, Nosegays or Chaplets: That no Vows be offered to them, nor they carried through the Streets, or in Churches on Mens Shoulders, or upon Poles, as the last Council of *Seus*, which was held at *Paris*, forbids.

Before this foregoing Advice was communicated to the Council, the Queen was for enlarging it: The Summary whereof is this.

' 1. Images were receiv'd in Churches only to instruct the Ignorant, and to represent what our Lord has done for us. 2. Images and Pictures of the Trinity are to be removed from Churches and publick Places, because they are forbidden by Scripture, Councils, and several great Men; and were received at first, only through the Connivance and Laziness of Pastors. 3. The same ought to be ordained of several lascivious, undecent, and strange Images, and those which represent Saints, whose Legend is rejected by the Church. 4. Cloathing, dressing, crowning of them to carry them in Procession, presenting Vows and Offerings to them, ought to be forbidden; and as to their Adoration, since addressing our selves to them *vicariously* upon Altars, presenting Candles to them, censuring of them, kneeling to them, make a part of religious Adoration; it were to be wished, That all Images, except of the holy Cross, were removed from Altars and placed in Walls, where they cannot be adored, saluted, kissed. &c.

Beza presented the following Advice. ' 1. That God condemns the Use of Images. 2. That they ought not to be placed in Temples, or other Places where the Faithful meet to serve God: He required to have them quite removed out of Christian Churches, and prayed the King to take them away; however, if he desired still to tolerate them, and at the same time was desirous to hear how far, in such case, the pretended Reformed could agree with those that are of the contrary Opinion, we beg his Majesty (said he) to allow us these following Particulars.

' That all Images of the Trinity, or dissolute Figures, as most Images of Virgins are, or profane ones, as those of brute Beasts, be taken away: That those also which are in Streets and publick Places be also removed: That they be taken away from Altars, and set where they may give no occasion to continue Superstition: That the People be admonished to make no Offerings to Images, nor any inward or outward Adoration, such as Prostrations, visiting them in Pilgrimages, censuring, crowning, touching them out of Devotion, dressing them, praying to them. As for wooden Crucifixes, tho' they have been used ever since *Constantine's* time, yet we can tolerate them no more than other Images. This being supposed, if your Majesty still pleases to keep them for some time longer, our Advice would be, that provided they were agreed in all the rest, they ought not on this Account, to forbear to meet and assemble in the same Place on both sides (e). This is our humble

[(e) Our Dissenters would do well to see here what *Beza*, in a weightier Matter than any thing which their Lay-Com-

municants are obliged to, was willing to grant the Papists, rather than make a Schism.]

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Opinion, wherein however we intend not to prejudice the Rights of the reformed Churches in this Kingdom, from which we have neither Charge nor Warrant. Signed *Beza*.

Third Opinion concerning Images.
A third Opinion was drawn up about Images, in these Words. 'To make and to keep Images of Jesus Christ, and of holy Men and Women, and to place them in Temples, is not contrary to the Commands of God. To venerate and honour Images, addressing our selves to them for the sake of what is represented by them, is neither Superstition nor Idolatry; to kneel or bow before the Images of the Saints is not Idolatry, no more is censuring them, lighting of Candles, making Vows and Oblations, singing Hymns, or carrying them in Procession. No Man ought to be offended when the Image of the Trinity is painted and represented to us under Signs and Figures, by which the Scripture declares, That God appeared and manifested himself to Men. But it is an Abuse to think there is any Divinity or proper Virtue in Images, for which they ought to be honoured; to run rather to one Image than to another; to pay the greatest Reverence to the Handsomest; to put any Confidence in Images; to draw them in an immodest or undecent Shape; to forge and counterfeit Miracles. The People ought to be instructed in the Worship of Images and Saints: No Images ought to be set up, without the Authority of the Bishops: Men ought to be restrained from removing or breaking them: Every thing ought to be left to the holy See, and a general Council.

This Advice was proposed and read by Monsieur *Maillard*. The six Authors of the first, could not get to have it read: All were dismissed, and no one Advice approved.

Continuation of the History of the Council of Trent.
In Pursuance of this Resolution taken in the States, the King sent a circular Letter to all the Bishops of his Kingdom, by which he commanded them to meet at *Poissy*, July 22. to make choice of such as should go to the Council from the *Gallican Church*, and to deliberate upon what would be proper to be proposed there. In the mean time, to appease the Protestant Party, the King put forth an Edict, by which he commanded all the Prisoners, who were in hold upon the Account of Religion, to be enlarged; and all those who had left the Kingdom since *Francis I's* time, to return and re-enter upon their Estates, provided they would live as Catholics; otherwise they might sell their Estates and retire somewhere else.

Opinions of the Councilors of the Parliament of Paris.
This Edict being carried to the Parliament, where the King and Queen were present, Opinions were divided; some were for having the Edicts, made against the Hugonots in the preceding Reigns, observed exactly; others thought that capital Punishments ought at least to be suspended, till things were decided in a general Council; these thought the Protestants might be allow'd the Exercise of Religion in private Houses; and those were not for giving them that Liberty, nor for tolerating the Crime of Heresy thereby, but for remitting its Cognizance to ecclesiastical Judges. When all that had been said on both sides had been well examined in June and July, it was resolved with one Consent, for the good of Peace, to take the middle between both Opinions; whereupon the famous Edict of July, 1561. was made at *St. Germain's in Laye*, which on one side shelter'd the Hugonots from Insults, and on the other side maintain'd the sole Catholick Religion. 'It commanded both Parties to abstain from Injuries, and to live in Peace. Preachers were forbidden to raise Tumults, upon pain of Death; the Word of God, and the Sacraments, were to be administered according to the Usage of the Church of *Rome*; Ecclesiasticks were to be Judges of Heresy; those that were convicted were to be delivered up to the secular Arm, which however could only banish them, till a general or national Council should order otherwise.

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This Edict also abolished all that was past concerning those that had set on the People on Account of Religion, upon Condition, That they would live like Catholics, and peaceably for the future.

The Prince of *Condé* and Admiral *de Chastillon*, who were angry, That this Edict was not so favourable to those of their Party as they desired, and that there was no room for Opposition, it having been received by all the Parliaments, and most of the subaltern Judges with joy, engaged the Hugonot Ministers to desire of the King a Conference with the Catholick Prelates, under the specious Pretence of a desire of being instructed, and of seeking some way of Accommodation between the two Parties, without touching upon the Essentials of the Christian Religion, That so all Men might be reunited in the same Belief. But their true aim was, to put the truth of the Catholick Faith, which they had a mind to oppose, under Debate, which would make many doubt of it, and keep their Minds in suspense upon a Point of that Importance; this would dispose them to change their Religion. Besides these great Men hoped, That when their most learned Ministers had the Liberty of saying what they would in favour of their pretended Reformation, they would make it so plausible by their Abilities and Eloquence, That most of the Courtiers who leaned already that way, would openly declare in its behalf.

This Resolution being taken by the Heads of the Hugonot Party, it was not difficult to them to get the Queen's Consent, because she stood more in need of the Admiral than ever, not only to get her Regency confirmed by the States, than assembled at *St. Germain's in Laye*, as he had promised he would, but also to secure her self against the King of *Navarre*, since she had already discovered something of a very secret Negotiation to draw him from her Interests, and to bring him into the Constable's, the Duke of *Guise's*, and the Marechal of *St. Andrew's* Party, who were called the *Triumvirate* quickly after. The Queen therefore granted to the Admiral the Conference which he desired; and he reciprocally promised her, That he would support her with all the Force of his own Party, to maintain her in her Authority.

Chancellor *de l'Hospital*, who took Measures with the Admiral, and who was for no General Council, failed not to confirm the Queen in that Opinion; and he made use of the Mediation of the Dutchesse of *Montpensier* and *Usez*, who had got Power over her Mind, and endeavoured by all manner of means to bring her over to the Hugonots, to which they believ'd this Conference would very much contribute.

The King of *Navarre*, without whom the Queen could not do any thing in a Matter of that Importance, was led to consent to this Conference, by the famous Lawyer, *Baldwin*, whom that Prince confided in; and by the Desire which he had to hear a solemn Dispute about Religion, to satisfy his own Conscience. When this Matter was proposed in the King's Council, several Prelates immediately opposed it, particularly the Cardinal *de Tournon*, who said it was an useless thing to dispute of Faith with obstinate Men, who persisted in a Belief which the holy Church had rejected; and that if they had a mind to be heard, they might address themselves to the general Council of *Trent*, where, with a safe Conduct, they might be allowed to propose their Opinions, and to dispute upon them. The Cardinal of *Lorraine* did not oppose this Conference; whether it was that he hoped to convince the Ministers by evident Reasons, and by that means disabuse the Consciences of the Simple; or, as those that envied him said, That he might shew his Eloquence and Learning, and that so considerable an Assembly might be Witnesses to it. Be that as it will, it is very certain that he did not contradict

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the Desire of the Ministers, and that he brought all the other Prelates over to his Opinion; and so it was resolved that the Conference should be held at Poissy, August 10.

The Pope was alarmed at this News, fearing that so famous a Colloquy, in which Religion was to be the Subject, might prejudice the general Council, which began to be assembled at Trent. The Queen gave him to understand by Monsieur de l'Isle, That nothing should pass in this Assembly relating to Religion, without the Authority of the Holy See. The Pope however, being distrustful of the Queen, and still fearing lest some Accommodation might be made without the Council, resolved to send Hippolyto d'Este, Cardinal of Ferrara, as his Legate, to hinder any thing to be touched upon in that Assembly, which an Oecumenical Council only was to decide. But because a Legate, especially this, who had 5 or 600 Horse in his Retinue, could not travel so fast, and there was Reason to apprehend that the Assembly might prevent him, and go on very far without him, the Pope desired the Queen, by Monsieur de Rambouillet, to put off the Conference till the Legate should arrive. This she did for a Month, but being extremely dextrous, she so well knew how to find Means to stop his Journey, that he could not get thither till after they had begun to treat in this Assembly, upon the principal Points in Debate between the Catholics and the Hugonots.

Prelates of the Assembly at Poissy.

July 16. 1561. most of the French Bishops were come to Poissy; there should have been an hundred and thirteen there; but there were not above fifty or thereabouts; namely, six Cardinals, de Tournon, Armagnac, Bourbon, Lorrain, Chastillon, and Guise; three Archbishops, of Bourdeaux, Tours and Ambrun; thirty seven Bishops of Chartres, Uzes, Evreux, St. Malo, Rieux, Sisteron, Secz, Meaux, Nantes, Bayeux, Langres, Troyes, Paris, Mons, Amiens, Orleans, St. Brien, Riez, Pamiers, Castres, Noyon, Vannes, Lisieux, Mirepoix, Tullies, Aleth, Valence, la Vaur, Soissons, Dol, Nevers, Cornuailles, Chalons, Luson, Coutances, Challon, Vence.

Order of Sitting of the Assembly.

The Assembly was held in the great Hall of the Nunnery at Poissy: At the upper End were the Cardinals Seats, under the King's Pavilion, on each Side were the Benches of the Bishops; below those Benches there were long Forms, on which the Doctors sat on the Right Hand, and the Deputies of the Clergy on the Left. The Prelates wore their Rockets when the King was there, and not else; in the Middle of the Ring were two Notaries, who sat before a Table covered with a green Cloth.

July 29. the Cardinal of Lorrain came thither, who having been to conduct his Niece, the Queen of Scots, was fallen sick. It was order'd that the Prelates should sit according to Seniority of Consecration. July 31. the King came to Poissy, and in the Afternoon went to the Assembly, accompanied with the Queen his Mother, the Duke of Orleans his Brother, Madam Margaret his Sister, the King of Navarre, the Prince of Condé, the Duke of Montpensier, the Prince de la Roche sur yon, the Dukes of Nemours and Guise, the Constable, and other Princes, Lords, Princesses and Ladies of the Court.

King's Proposition to the Assembly.

The King desired the Assembly to hear what the Chancellor should propose; who said, That this National Council was assembled for the Reformation of Abuses, and the Appeasing of Tumults and Seditions, in which the King would give order. He exhorted the Prelates to endeavour to reduce their strayed and wandering Brethren with Gentleness, like the Physicians, who try all Sorts of Remedies to cure their Patients, adding, That they would be much easier reduced by Sweetness and by soft Words, than by Roughness and unintelligible Subtilties.

First Session of the Assembly at Poissy.

August 1. at seven a Clock in the Morning, the first Session was held in the Nunnery-Chapter-House:

A Protestation was made at first, that nothing should be attempted against the Good-will and Consent of our holy Father the Pope, the Head of the Catholic Church; and it was resolved, That Matters of Doctrine and Faith should not be meddled with, but be left to the Council, which was already opened; only that they should consult about Reformation of Manners, in this Assembly, and upon Ways and Means how to remove Abuses out of the Church. The Bishop of Chartres, was allowed to sit above the rest of the Bishops, though he was not Senior, because he was in his own Diocess: It was likewise order'd, That next Sunday, all that were to sit in the Assembly should communicate.

The Cardinal of Lorrain called in twelve Doctors to draw up Articles, upon which they were to deliberate, concerning the Reformation of the Church, which were these. I. Concerning what ought to be prescribed to Bishops. II. Concerning Dignities in Cathedral Churches. III. Concerning Chanons and their Exemptions. IV. Concerning Curates, (f) and their Institution, either by Presentation, or ordinary Collation. V. Concerning the canonical Portion, which ought to be assigned them. VI. Concerning Priests, and their exorbitant Number. VII. Concerning Reformation of Monasteries. VIII. Of Commendams, and what ought to be presumed about them. IX. Of the Number, and Incompatibleness of Benefices. X. Of Means to find Remedies in case of Disputes. XI. How Churches and Monasteries for the future, when Vacancies shall happen, ought to be provided for. XII. Of ecclesiastical Censures.

August 2. Twelve Divines and twelve Canonists were named, to deliberate with the Bishops upon the aforesaid Articles. These Divines were, Salignac, Bouthillier, Doctor of Caen, Espenceaus, Cotignon, Vigor, Du Pre, Coquier, Brochon, Senéchal, Ciry, de Saintes, and Gibou. The Canonists were the Chancellor of Paris, the Deans of Sens and Amiens, the Officials of Rheims, Tours, Evreux and Uzes, the Chantor of Clermont, and some others.

August 3. being Sunday, the Cardinal d'Armagnac celebrated Mass in the Nuns Church, where all the Cardinals, Archbishops, Bishops, Doctors and Deputies of the Clergy received, except the Cardinal of Chastillon, the Bishops of Uzes and Valence, de Salignac, Bouthillier and Gibou, who communicated at the Parish Church, where the Bishop of Uzes officiated, and preached upon the Lord's Supper, which is the Sacrament of Concord and Charity.

Monday, August 4. Cardinal de Tournon, as Dean, proposed four Articles, upon which they were to deliberate, the Subsidy they were to give the King, the Reformation of the Church, the Choice of Prelates to be sent to the Council, and the Orders that were to be given to prevent Seditions and Tumults.

The same Day, the Cardinal d'Armagnac was sent to the King in the Name of the Assembly, with the Cardinal de Chastillon, and the Bishops of Evreux and Bayeux, for three Things. I. For the Suppression of the Edict, which it was said, was ready to be published concerning the Election of Curates by the Laity. II. Concerning the Subsidy. III. To get a Copy of the Chancellor's Speech.

As to the first, the Queen replied she never thought of it; in the Elections of Bishops indeed, the King would submit, during his Minority only, to this, That the Metropolitan and the provincial Bishops, the Chanons, and Parish Priests of the City, twelve of the Nobility of the Country, and twelve of the third Estate, should choose three Persons, of whom the King should present to the Pope whom he pleased. As to the Subsidy, they were agreed; and as to the third Article, the Chancellor refused to give a Copy of his Speech.

[(f) Cure, in French is not properly what we call a Curate, but the Parochus or Parish Priest, who has the Cure of Souls.]

August

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debates of Doctors, concerning Dominion of the Bishops.
August 7. *Salignac, Boutillier and Espenceus*, began to give their Opinions, not judicially, but only by way of Exhortation, Advice and Counsel, upon the first Article, namely, what ought to be prescribed to Bishops: *Salignac* made several Reflections upon the Word *Bishop*, and undertook to prove that a Bishop ought to be chosen by the Archbishop, the Clergy and the People, whom he ought to instruct himself. *Boutillier* maintain'd, that Bishops are obliged to perform their Functions in Person, and affirm'd, that by Divine Right they were equal with Presbyters. This Proposition was refused by *Espenceus*, who said this was the Error of *Aerius*; for the rest, he own'd and proved the Truth of the others Proposition. *Cotignon*, the Thursday after, undertook also to prove, that Bishops are Superior to Presbyters by Divine Right; maintain'd that Sacraments ought not to be administered in the vulgar Tongue; and that Bishops are obliged to Residence, and to give Orders gratis. *Vigor* spake also of the Obligations Bishops lie under, to reside, preach and perform Episcopal Functions themselves; he shew'd they were obliged to Hospitality, and maintained their Superiority over Presbyters by Divine Right; even, said he, against *St. Jerome*, who bore ill Will to the Bishops. On Friday, *Coquier, Gibou, Brochon, Seneschal, de Sandes*, and *Ciry*, speak of the Duties of Bishops, and of Episcopal Virtues. The Consultations of the Prelates and Doctors upon these Articles of Reformation continued till Aug. 22.

Hugonots Petition so heard.
Aug. 24. After the Reconciliation of the Duke of *Guise* and the Prince of *Condé* at *St. Germain*, the *Hugonots* presented a Petition to the King; in which they desired four things, without which they said they could not enter into a Conference with the Prelates that were assembled: First, That since the Cardinals and Bishops were interested in this Cause, they might not be their Judges. Secondly. That the King would be pleased to preside in that Assembly, with the Queen his Mother, and the Princes of the Blood, that necessary Orders might be observed. Thirdly, that all Differences might be judged by the sole Word of God, contained in the *Old* and *New Testament*. And lastly, that what was said on both sides might be taken by Notaries agreed upon by both Parties, to whose Accounts all should be obliged to give Credit.

This Petition of the Ministers was communicated to the Council; and there being no Answer made to it, they applied themselves to the Queen, who told them, that the Bishops should not be their Judges: That they should have a Secretary of State for their Notary: That they might, if they would, set down every Day what was said and agreed to, and publickly protest that they would have every thing decided by the Word of God: That the King and the Princes should be present at the Conference: That they should behave themselves modestly there, and seek nothing but the Glory of God. Cardinal d' *Armagnac* acquainted the Prelates with the King's Resolution, that they might take Measures accordingly. He also made a Demand upon them (Sept. 1.) of a Subsidy of 25 Millions. Several Bishops made also at that time great Complaints against the *Hugonots*, who had abused the Clergy, and plunder'd Churches in several Places.

Sept. 8. the Deputies of the Faculty of Divinity at *Paris* met at *St. Germain* in *Laye*, and in concert with the Cardinal of *Lorraine* remonstrated these three things to the King and Queen: I. The Violences which the *Hugonots* exercised against the Churchmen. II. That the Sectaries ought not be admitted to a Disputation. III. That if they were heard, the King and Queen ought not to be there. To the first, the Queen made answer, that the King had given Orders to the Governors to prevent Disorders. To the Second, that the Sectaries being the King's Subjects, it was just that they should be heard: That it was settled, and could not now be undone. And,

that the Council likewise thought it was convenient that the King should be present at the Conference.

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Names of the Ministers that were at the Colloquy at Poissy.
The Ministers that came to that Colloquy with the King's Safe Conduct, were *John de la Tour, Francis de St. Paul, Nicolaus Gallasius, Franciscus Morellus, John de Remoué* alias *Merlin, Augustine Marlorat, Nicolas Foling, John Berquin, Theodore Beza, John Malo, John de Spina, Claude de la Boissiere* and *la Roche*, for the Isle of France; *Barbançon* for *Picardy*; *Simon de Bonneau* for *Normandy*; *Gervase le Barbier* for *Provence*; *John Gabet* for *Dauphine*; *Gregory de Salue* for *Languedoc*; *Du Bois* for *Bretagne*; *Blereau* for *Guienne*; *Gervais* for *Lyonnois*; *Remond* for *Blois* and *Orleans*; and *Peter Martyr* a *Florentine*. There were also there some others of their Conductors; among whom was a Gentleman of *Normandy*, one *Manneville*, who spake first, and begg'd of the King to give them leave to speak.

Opening of the Colloquy.
Sept. 9. the Colloquy was open'd in the great Hall of the Nunnery at *Poissy*; at the upper end of which, the King was upon his Throne, having his Brother the Duke of *Orleans*, the King of *Navarre*, and the Prince of *Condé*, at his right Hand; the Queen-Mother, *Madam Margaret* his Sister, and the Queen of *Navarre*, at his left; and behind them, to the right Hand and to the left, in a very large Space between the Throne and the Wall, containing the whole Breadth of the Hall, were placed on the Right, the Cardinals *de Tournon, Lorrain*, and *Guise*, and about twenty Archbishops and Bishops; and on the left, over-against them, the Cardinals of *Armagnac, Bourbon*, and *Chastillon*, attended by as many Bishops as were on the other side; below whom, on both sides, were several Benches filled with Doctors of several Universities, and Churchmen that belonged to the Bishops.

The lower end of the Hall was taken up by great Numbers of Gentlemen, and Men of the Robe; after whom the Guards were ranged to the Wall, to hinder any Disorder in so great a Company. A little lower, in the middle of the Hall, were Bars, to hinder any one's passing, without Leave, into the Space where the King, the Princes, the Lords, the Prelates and the Doctors sat.

Every Man being thus placed, twelve Ministers were brought in, and conducted up to the Bar which parted the Hall in two; They would have gone up, and seated themselves among the Bishops, or at least among the Doctors; but they were stop'd short at the Bar, with Orders to stand there bare-headed, and to speak moderately, without Invectives, when they should have a Sign given them to propose what they had to say.

Character of the principal Ministers at the Colloquy.
The chiefest among these Ministers were *Augustine Marlorat*, a *Lorrainer* by Original, and an Apostate of the Order of *St. Augustine*; in which he had been engaged by his Uncle and his Tutor, having lost his Father and Mother very young. He had made himself considerable, by his Commentaries upon the new Testament: And after he had lived sixty Years in Continence, he married; which was the Reason of his turning Calvinist. He was hanged soon after, when he was seventy two Years old, when the King made himself Master of the City of *Roüen*, where he was Minister. *John Malo*; who from a Priest that had a Licence to officiate in the Parish of *St. Andrew de la Borv* at *Paris*, turned Minister. *John de l'Espine*, formerly a professed Dominican in the Convent of *Paris*. *Petrus Vermilius*, a *Florentine*, better known by the Name of *Peter Martyr*, formerly a Canon-Regular of the Order of *St. Augustine*, then a Minister at *Zurich*. But he that was at the Head of all these Ministers, and whom they chose for their Speaker, was the famous *Theodore Beza*, a Native of *Vezelay* in *Burgundy*, where his Father had been Bayliff. *Beza* was scarce weaned, when his Uncle *Nicholas Beza*, a Counsellor in the Parliament of *Paris*, took him to his own House, where he stay'd till he was nine Years old, when his Uncle

sent him to Orleans, to Melchior Wolmar, a German and a Lutheran, who had an admirable Talent at teaching of Youth. He was seven Years at Wolmar's House, under whom he made an extraordinary Progress in his Humanity Studies, and who also read Lectures to him of Luther's Doctrine; from whence he returned to Paris, to study Philosophy. His Uncle the Counsellor being dead, another Uncle, the Abbot of Froimond, who took care of him, sent him back to Orleans, to study the Law there; where he went out Licentiate in 1539. when he was but twenty one Years old. After he was a Licentiate, he came back to Paris, where he stayed till 1541. when he went to Geneva with one Catherine de Noffe, a Taylor's Wife (g) whom he kept at Paris. From thence he went to Lausanne, where he taught Greek for nine Years, and then went back again to Geneva, to undertake the Ministry: He there adhered to Calvin very closely; for which Reason he was soon made his Colleague in the Church and Academy of Geneva. Some of the great Men of the Kingdom, who were desirous to engage the King of Navarre to favour the Hugonots, brought Beza to Navarre, to instruct that Prince; who was so satisfied with him, that he desired to have him at the Colloquy of Poissy; and accordingly wrote to the Senate of Geneva, to give him Leave; which they did. It cannot be denied but Beza was a Man of fine Parts: He was a lively, easy, ready, subtil, pleasant and polite Man; he knew the World; spake with abundance of Readiness; and had a great Memory, and a good deal of Learning.

Every Man being thus placed, and silent, the King said, in few Words, that he called that Assembly to put an end to all the Differences which disturbed the Peace of his Subjects in Matters of Religion; and he did not desire to have it shut up, till that so good a Work were accomplished.

The Chancellor, who was seated upon a little Stool, a good way up in the Hall, on the Right-hand of the King, made a Speech to explain the King's Meaning more at length, and began with saying, that he hoped they would reap the same Fruit from the King's Remonstrance which was reaped from that of Constantine the Great at the Council of Nice: That they were met for the Reformation of Manners and Doctrine: That it was his Majesty's Intention to make a speedy Provision for that Evil which afflicted France, by its Differences in Religion: That a speedy and an effectual Remedy must be applied to it: That there was no waiting for a general Council, which was not yet ready to meet, and which would be made up of Strangers, who did not know our Grievances so well: That tho' it were held at present, yet this would not be the first time that two Councils had been seen to sit at the same

Time: That they ought not to dwell upon subtil and curious Disputes, but refer themselves to the Word of God: That those of the new Religion ought to be gently treated; heard with the Spirit of Mildness, and be plainly told their Duty.

When the Chancellor had done, the Cardinal de Tournon, as the senior Bishop and Primate of Gaul, spake, and thank'd God for the Favour he had done to that Assembly, who were met together upon so good a Design. He likewise thanked the King, the Queen, and the Princes of the Blood, for the Honour they did that Assembly in assisting at it, and in ordering such holy Things to be proposed to it. Then he remonstrated, that since the Chancellor had proposed some things which were not contained in the Letters by which they were summoned to come to that Assembly, it was reasonable they should be communicated to them, that they might prepare themselves to give an Answer. But notwithstanding all his Importunity, the Chancellor would never give a Copy of his Speech.

The Cardinal de Tournon having ended his Speech, the Queen order'd the Protestants to speak, and to set forth what they had to say to justify their Belief. Beza, who spake for all the rest, was standing, and bare; and leaning upon the Bar, which was high enough to rest upon, directed immediately to the King the two first Periods of his Speech: Then he, and all the other Ministers that were with him, kneeled down together, and lifting his Hands and his Eyes up to Heaven, he made a long Prayer to the heavenly Father, and ended with the Lord's Prayer. When he rose up again, he went on with his Harangue, which he began with an Exposition of their Belief, back'd with some Proofs taken out of the holy Scripture. He mentioned the Articles wherein we agree with them, and those also which are disputed. He explained the latter in the following Manner: 'That there is no other Satisfaction nor Purgation in this World, than the Obedience of Jesus Christ: That our sole Title to Heaven is acquired by his Death and Passion: That in him alone our Salvation entirely consists: That his Word alone ought to be rested upon: That by Faith alone Jesus Christ is applied to us: That they do not however separate Charity from Faith: That there is no free-will in Man, but that which is made free by Grace: That God's Commandments are the sole Rule of Justice and Obedience; to which nothing should be added, nor any thing diminished from them: That Works are so far good, as they proceed from the Spirit of God working in us, and also so far as God is glorified by them. That eternal Life belongs to us by the free Gift of God, not by any Recompence due to our Merits: That they receive for the Word of

(g) If any one compares Du Pin's Account of Beza, in this Place, with what Monsieur Bayle says of him in his *Historical and Critical Dictionary*, he will easily see that our Author has copied M. Bayle's Words in several Places: It is very odd then, that he who omits all the other Calumnies which Beza's Enemies had raked up against him, should set down this of the Taylor's Wife, which M. Bayle so judiciously and so largely confutes,

both from Beza's own Words in his *Apology against de Sanctes*, and from other Arguments drawn from the Accusation it self. In short, Claudine de Noffe (for that was her Name, and not Catherine) was Beza's lawful Wife, with whom he lived forty Years, with great Love; after whose Death he married a second Wife, Catherine de Plane, who out-lived him.

The following Passages are transcribed out of both, that the Truth of what has been said may more fully appear.

D U P I N.

'A peine avoit il été sevré, que son Oncle Nicolas de Beze Conseiller au Parlement de Paris, le voulut avoir chez lui.
'Son Oncle l'envoya à Orleans, auprès de Melchior Wolmar, qui avoit un merveilleux Talent pour instruire la Jeunesse. Il logea Sept ans chez Wolmar qui lui fit faire des progres extraordinaires dans les humanitez, & qui lui fit des Leçons de la Doctrine de Luther. Du Pin Hist. del'Eglise de Seizeme Siecle, Chap. 3. page 562.

Whoever now compares these Passages, must be satisfied that Du Pin copies Bayle here, and consequently must be supposed to have read what Bayle says in his *Notes* upon this Article in Beza's Justification. Words so near one another could not come by chance into these two Authors several Works; and the Application is too easy to need any farther Descant. For my part, I am

B A Y L E.

'A peine fut il sevré, que Nicolas de Beze son Oncle Conseiller au Parlement de Paris, le voulut avoir chez lui.
'On l'envoya à Orleans auprès de Melchior Wolmar, qui avoit une adresse merveilleuse pour instruire la Jeunesse. Il logea pendant Sept ans chez ce Wolmar, qui lui fit faire des progres extraordinaires dans les humanitez, & qui lui fit des Leçons sur la Religion prises de la pure parole de Dieu. Baile Dict. Hist. & Critique Art. Beze, page 583. Edit. 2.

apt to think, this Paragraph concerning the Taylor's Wife has been put into this Book by M. Du Pin's Supervisors; especially since it is improbable (to me at least) that he himself believed it, considering that he knew what Beza said at that time for himself, and what others have said since in his behalf.

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God nothing but the Doctrine written in the *Old and New Testament*: That as for the Writings of the ancient Doctors and Councils, they must agree with the holy Scriptures and with one another: That they may be used, provided what they say be founded upon the holy Scriptures: That Sacraments are visible Signs, through whose Mediation the Conjunction which we have with Jesus Christ, is not only signified to us, but is also really offered to us from our Lord; and consequently ratified, sealed, and as it were engraven by the Vertue of the Holy Ghost, in those who by a true Faith apprehend what is so signified and presented to them: That there must be a heavenly and supernatural Change in the Sacraments: That in the Lord's Supper, the Bread is the Sacrament of the precious Body of our Lord Jesus Christ delivered for us; and the Wine the Sacrament of his precious Blood shed for us: That this Change is not made in the Substance of the Signs, but in the Use and End for which they are ordained; and that it is only made by the sole Power and Will of him who has ordain'd this whole Action which is so divine and heavenly, the Ordinance whereof ought to be performed aloud and clear, in a Language understood, and clearly explained to all that are present: That the Bread which we break, according to his Ordinance, is the Communion of the true Body of Jesus Christ, who was delivered for us; and the Cup which we drink, is the Communion of his true Blood which was shed for us, even in that Substance which he took in the Womb of the Virgin, and which he carried from us to heaven: That Transubstantiation has no Relation to the Analogy of our Faith, because it is directly contrary to the Nature of the Sacraments, and overturns the Truth of the humane Nature of Jesus Christ and of his Ascension; and that Consubstantiation likewise has no Foundation in the Words of Jesus Christ; that consequently they do not make Jesus Christ to be absent from the Eucharist; but that, as to distance of Places, he is as far from the Bread and Wine, as the highest Part of Heaven is distant from the Earth, considering that we and the Sacraments are upon Earth, and his Flesh is in Heaven, and no where else; tho' however we are made Partakers of his Body and his Blood in a spiritual Manner." At this the Prelates were scandalized, and clapped their Hands, and some cried out, *He blasphemes*: The Cardinal *de Tournon* rose up, and pray'd the King and Queen to command *Beza* to be silent, or that they might be suffered to withdraw. The Queen also, who was startled at that Proposition, spake to the Cardinal *de Tournon* to answer what *Beza* had asserted, but however she would have *Beza* to go on. Accordingly he did so, and said, That they received Baptism as a Sacrament instituted by God, and confirmed in his Son Jesus Christ: That as for the other Ceremonies which are called Sacraments, they cannot give them that Name, because they do not find them so called in the holy Scriptures: That they teach true Repentance to consist in the Absolution which we have in the Blood of Jesus Christ, and in Amendment: That they approve of Marriage in all those who have not the Gift of Continence, to which no Man ought to be obliged: That they allow of the Degrees of ecclesiastical Functions, according as God has ordained them in his House by his holy Word: That they approve of the Visitation of the Sick: That no Man ought to be judged, as to the Distinction of Fasts and Meats: As to ecclesiastical Polity, that it is so confused and ruined, that the Footsteps of the ancient Building are hardly to be discerned: That they desire it may be restored to its ancient Purity and Beauty: That the Additions which have been made since the Time of Jesus Christ and his Apostles, contrary to the Word of God, may be taken away;

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what is superfluous cut off; what leads to Superstition removed; what is useful and proper for Edification kept and observed in the Name of God, as it shall suit with Times, Places and Persons; that so, with one accord, God may be served every where in Spirit and in Truth.

When *Beza* had done, the Cardinal *de Tournon*, all trembling and in a rage, began, and remonstrated to His Majesty, "That since by his Majesty's express Commandment the Assembly had, to obey him, consented that these new Evangelists should be heard, tho' not without some Scruples in their Consciences, foreseeing that these Men might say (as they actually did) things unworthy of the Ears of a most Christian King, and which would, not without Cause, offend several good Men that would be near His Majesty; the Assembly therefore gave him Charge to beg, that in such a Case His Majesty would not believe, nor give Credit to him that had spoken for the new Religion, and to suspend his Judgment till the Assembly should shew Cause to the contrary; and they desired His Majesty to give them Time for that Purpose: Adding, That had it not been out of Respect to him, they would have risen up, when they heard the Blasphemies and abominable Words which had been utter'd." He concluded with praying His Majesty to persevere in the Faith of his Ancestors.

The Queen answer'd, That she had done nothing in this Matter but what had been debated in Council, and by the Advice of the Parliament of *Paris*; and that it was not done to innovate, but to appease the Troubles which proceeded from the Diversity of Opinions in Religion.

Next Day the Cardinal of *Lorrain* was chosen to reply to *Beza*: But he would do nothing till he had consulted the Doctors upon the Points which he was to handle; and they agreed that it was proper to treat of the Authority of the Church, and the Real Presence.

Sept. 15. the Cardinal of *Lorrain* promised to answer the next Day: The King, the Queen and the Princes were at the Assembly.

The Cardinal *de Lorrain's* Discourse was divided into two Parts: In the First he treated of the Authority of the Church, and shew'd the Necessity there was of admitting a supreme Judge to terminate Controversies of Religion: That this Judge could only be the Church; and that the Scripture alone was not it, as *Beza* pretended; because the Scripture is a Law which does not interpret it self: And since all Controversies of Religion are founded only upon the different Interpretations which are made of the Scripture, which every Man pretends to have of his own side, there must of necessity be a living and a speaking Judge, who by his sovereign Authority may determine what is Scripture, and what is the true Sense which ought to be given to it. Lastly, He proved that the Church of *Rome* was the true Church which succeeded the Apostles, and in which without Contradiction the first Protestants lived, before it gave Sentence upon some Articles, on the Account of which they made their Separation.

In the second Part the Cardinal *de Lorrain* shew'd, that there was a manifest Contradiction in what *Beza* asserted, That Jesus Christ is in Heaven, and no where else; and yet, by the incomprehensible Vertue of Faith, he is present in the Sacrament, where he is communicated to us, as truly as we touch the Sacrament, and put it into our Mouths: For (said he) at that Rate, we must say that Jesus Christ is locally in the Sacrament, because it is actually in my Hand when I touch it, and actually in my Mouth when it goes into it: And yet with *Beza* I must say, that it is as distant from the Bread and Wine, as the highest Heavens are distant from the Earth; and we must affirm, that he is in Heaven, and no where else; which is a manifest Contradiction. The Catholics say, with much more Reason, that the Body of Jesus Christ is in Heaven,

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The History of the Council of Trent.

Cardinal de Tournon's Remonstrance

Queen's Answer.

Cardinal de Lorrain's Discourse.

The History of the Council of Trent. in its natural Extent, and in a different manner in the Holy Sacrament: For Philosophy shews there is no Contradiction for a Body to be in several Places at the same Time; whereas it is a plain Contradiction to say he is in a Place, and he is not. He finish'd his Discourse with exhorting the King and Queen not to swerve from the Religion of the Kings his Predecessors.

When the Cardinal of Lorrain had done, the Prelates approv'd of what he had said, declaring that they were ready to sign it with their Blood; and demanding that the Separatists might be obliged to subscribe it, otherwise that all Audience might be denied them. Beza begged leave of the Queen to reply to the Cardinal: And that it might not be said, that they would not hear the Reasons of what he had set forth in his Discourse, that Conference was put off to the 24th. and the 26th. of the same Month.

Second Conference At their going from the Conference, the Bishops represented to the Queen, that it was dangerous for the King to be any more at these Conferences; because, being Young, he was more susceptible of ill Impressions from the venomous Doctrine of the Protestants. Accordingly the Conference of the 24th. was not held in Publick, as before, in the great Hall, before the King and the whole Court; but it was in Private, in the Hall of the Priory belonging to the Nunnery, where were the King, the Queen, the King of Navarre, the Princes of the Blood, and the Privy-Council. The Cardinal de Tournon would not assist; the five others sat on the Right Hand, and 15 or 16 Doctors behind them; on the left Hand were the Twelve Ministers without the Deputies of their Churches.

Beza's second Discourse. Theodore Beza made a second Discourse to answer the Cardinal of Lorrain's, concerning the Church and the Lord's Supper. He divided the first Point into three Parts: What is the Church; what are its Marks; and what its Authority. As he entred into the Matter, the Cardinal of Lorrain interrupted him, by asking who sent him, and who owned him? He said he was chosen by the People, confirmed by the civil Magistrate, and sent to be a Minister of God. Espenceus asked him who instituted him, and laid hands upon him? He confess'd he was not establish'd in the Ministry that way: And then coming back to his Subject, he said, 'That the Church, properly speaking, is the Assembly of the Elect: That there are two sorts of Christians in it; some that make up the House it self; others that are in the House of God, but are not it: That the certain Marks of the Church are the pure Word of God, and the Administration of the Sacraments: That it is the Support and Pillar of Truth: That as to the third Mark, some add, that it is the ordinary Succession since the Apostles Times, which is indeed highly valuable; but then it is a Succession of Doctrine, as well as a Succession of Persons: As for the Succession of the Doctrine, that must be owned to be infallible; but as to that of Persons, it cannot be owned for such, unless it be joined with the Succession of the Doctrine of the Prophets and Apostles, at least in Fundamentals, and not else. That there are two Calls, one Ordinary, and one Extraordinary. That particular Churches and Councils may err; and that Councils have erred for a long time: That the Assembly of Bishops has been often guided by a Spirit of Error: That God does not permit the Truth of the Fundamental Points of our Salvation to be so buried in his whole Church, that there shall not always be a Number, sometimes greater, sometimes less, to teach the Truth. In the Conclusion he requir'd that the Scripture should decide between Good and Evil Traditions,

After this the Ministers presented their Confession of Faith, concerning the Eucharist; and gave some Confessions of the Ministers of Wirtemberg, made in the Year 1559.

The History of the Council of Trent. Espenceus and Xainttus, two Doctors of the Sorbonne, then confuted what Beza had said: But since they still went from Question to Question, without agreeing upon any thing, Cardinal de Lorrain, to hinder that Disorder, was for having them stop upon the Article of the Eucharist immediately, and not leave it, till they were agreed about that great Mystery, which was the principal Point; saying, that, after that, it would not be difficult to agree in every thing else. The Ministers therefore were ask'd if they would sign that Article of the Confession of Augsburg, which says, *That the True Body of Jesus Christ exists, is present, and receiv'd by Communicants, truly, really, and substantially, in the August Sacrament of the Eucharist.*

In the Conference upon the 26th. the Queen, and the King of Navarre (for the King was at no more of these Conferences) being present, Beza who had put in writing what he had to say, recited it.

He complain'd, that instead of answering what they had said, they were asked, by what Power they administred the Word of God and the Holy Sacraments? he declared, they came not thither to administer the Word of God; and if they were to give an Account of what they had done in Times past, they were of Two sorts: Some Ministers out of the Kingdom, in Places where their Vocation was received; and those could not be asked why they are Ministers: And others that preach within the Kingdom, who were not called to give an Account of their Vocation, but to confer about their Doctrine; and then this Demand might offend the Bishops, if it were retorted upon them. But, setting aside (says he) the Bishops of this Kingdom whom we intend not to offend, let us suppose that any other Bishop should ask us by what Title we preach, and administer the Holy Sacraments? We also would ask him again, Whether he was chosen by the Elders of the Church, to which he is deputed to be a Bishop? Whether he was desired by the People? Whether there was a previous Information taken of his Life, his Manners, and his Doctrine? He would say, Yes, but we know the contrary. And if he should tell us, That we are not Ministers, because we have not Imposition of Hands; we would reply to him, Sir, You are no Bishop, because in your Institution, the substantial Points which are recommended by Divine Right, and which cannot be dispensed with, have been omitted. If we should ask such a Bishop, Whether that Imposition cost him nothing? he would say he did not buy it, but he gave 1000 Crowns for it. And as to the Article of the Supper, instead of instructing them, or persuading them by good Reasons, they had only an Extract of the Confession of Augsburg given them, which they were commanded to sign. He asked, whether the Cardinal of Lorrain had presented it of his own Head, or in the Name of the Prelates? and said, If they would have him sign it, the Cardinal of Lorrain ought to sign it in the Name of the Assembly. The reading of this Paper exceedingly angered the Prelates.

The Cardinal made answer, that they had dared to accule not only the the Priestly Dignity, but also the Royal Authority, because of the Concordate: That the Vocation of the Prelates cannot be called in question, without blaming the King's Conduct, who had named them.

To this Beza made answer, *It was a Sign the Church was in great Confusion, since Princes were obliged to interpose.*

The Cardinal asked the Ministers why they would not sign the Confession of Augsburg? They reply'd, that the Question ought not to be asked them, since the Prelates themselves did not wholly approve of it; but that if the Prelates would sign it first, then they might come to an Agreement: And they did not know whether that Writing had been presented to them in all their Names, or only in one Man's Name. For my part, said the Cardinal, I swear upon no Man's Faith: For which Reason I

neither subscribe to those who made the Augsburg Confession, nor to you; but am ready to do it, if what you say is true. Lastly, my Brethren here can assure you, that I have neither said nor presented any thing to you, but by their common Consent. Since you will not subscribe, said Beza, it is not reasonable for you to desire us to subscribe.

After these Janglings, *Peter Martyr* made a long Discourse in *Italian* upon the Eucharist; in which he opposed the real and substantial Presence of the Body and Blood of Jesus Christ in that Sacrament.

Hereupon *James Lainez*, General of the Jesuits, who came lately to Court with *Hippolito d'Este*, Cardinal of *Ferrara*, who desired the Pope to let him be his Divine, reply'd, by the Queen's Order, who desired to hear him, to satisfy the Legate: He spake in *Italian*, as *Peter Martyr* had done; because that Language was better understood in *France* than *Spanish*, which was his native Tongue. He directed his Discourse to the Queen, and shew'd, that nothing was more dangerous than to treat of an Accommodation with Hereticks, whom the Scripture compares to Foxes and Wolves clad with Sheeps Cloathing; since under the fair Appearance of an ambiguous Expression, they slyly bring in the Poison of their Heresie, and so give it Authority before Men are aware of it: That formerly it had been seen, that the *Pelagians* have made no difficulty to admit the Necessity of Grace in order to good Works, that they might be received into catholick Communion; but since by this Grace they meant Nature, which is the free Gift of God, without any Merit on our part, they have been condemn'd by the Church. That the *Hugonots*, after their Example, say, that they admit the real Presence of Jesus Christ in the Sacrament of the Eucharist, who is really communicated to us; but since they pretend that is only in a spiritual manner, and purely by Faith; and that the Body of Jesus Christ is in Heaven only, and no where else; they deserve for the same Reasons to be condemned. And he concluded, that if they ought to be treated with, in order to agree upon a Confession of Faith, this was not to be done in this Assembly at *Poissy*, where they had not the infallible Assistance of the Holy Spirit, but in the general Council, which was open, and to which the Ministers ought to be sent to propose their Reasons; as had been done in the Council of *Basil*, which the Protestants do not reject; which prohibits the Celebration of provincial Councils, whilst a general one is on foot, or six Months before. That if, out of Charity, they would endeavour to reduce the Protestants, and to shew them their Errors in a regular Dispute, it would be proper that the Queen, the Princes, the Council, and all that do not profess Divinity, should not give themselves the trouble to assist, since it was not for them to judge of these sort of things which they did not understand; and that they ran the hazard of receiving some ill Impression which they could not easily shake off.

This Passage in the Speech of *F. Lainez* being unseasonable, because it was an indirect Condemnation of the Assembly, was not favourably heard: The Queen was so angry at it, that she had much ado to keep in her Uneasiness; but in consideration of the Legate, she durst not interrupt him. But the Pope was exceedingly pleased with it, who, when he heard of it, said, that *F. Lainez* was comparable to the primitive Saints, for maintaining the Cause of God, without regarding Kings or Princes, and for rebuking the Queen to her Face.

F. Lainez went on with his Speech, and to shew that the thing represented might very well agree with the Sign that represents it, made a Comparison of a Prince who was willing to represent in person, in a magnificent Feast, a glorious Victory which he had obtained over his Enemies. When he had made an end, *Beza* made himself Sport with that Comparison, and went about to ridicule it, saying,

that this Father had made a Comedy of the Sacrament, and a Comedian of Jesus Christ. *Beza* also had observed, that they were not over-satisfied with what *Lainez* had said of the Council; and so told him, that the Queen was not to learn of him what was proper for her to do concerning the Council, and that she could take care of it her self.

When these had done, the Doctors and the Ministers fell into Disputes about the Eucharist. *Espenceus* began first, and maintained the bodily Presence of Jesus Christ in the Supper; and, holding a Book of *Calvin's* in his Hand, accused the Ministers of contradicting what their Master had taught. The Ministers protested they were ready to subscribe to what was in that Book. *Espenceus* shewed them that he used the Term *Substance*: They answer'd, it was customary with him to use it, that no Man might take occasion to think that he designed to feign an imaginary Body, or a fantastical Reception and Communion; but however, that no Man could be Partaker of the Body of Jesus Christ any otherwise than by Faith, and by the Vertue of the Holy Spirit. *Espenceus* having finished his Dispute, *Xainctius* spake, and said, that of the three Points which served to establish the Articles of Religion, Scripture, Tradition, and Custom, the Ministers would receive only the first: Then he shew'd the Necessity of admitting the two others. *Perrey*, Divinity-Reader at *Rheims*, who afterwards disputed with *Peter Martyr*, insisted upon the Words of the Institution of the Eucharist, *This is my Body*; and ask'd the Ministers what could be signified by the Word *This*? They answer'd, that the Bread was signified as well as the Body of Jesus Christ, that so we might understand that the Bread is the Sign of the Body: And this the Ministers laboured to prove by the Authority of the Fathers. The Doctors asserted that the Pronoun related to the Body; and the Cardinal *de Lorraine* endeavoured to prove it by *St. Augustine*, and by several of the Ancients. The Dispute grew warm, and Night coming on, all the Assistants rose up, and disputed all standing.

When the Conference was ended, the Assembly brake up; and the Queen, seeing that nothing was concluded among so great a Number, adjourn'd the Conference to *St. Germain's en Laye*, and ordered it to consist but of a few Divines. She named for that Purpose, among the Catholics, *John de Montluc* Bishop of *Valence*, *Peter du Val* Bishop of *Sez*; and Doctors, *Espenceus*, *Bouthillier*, and *Salignac*: For the Protestants, *Beza*, *Peter Martyr*, *Marlorat*, *Gallassius*, and *Espineus*. The Queen chose these two Bishops, because they favoured the *Hugonots*; and she believed that *Espenceus* and his two Colleagues would agree more easily with the Ministers than the other Doctors, because they desired to reduce the *Calvinists* by Mildness to the Faith of the Church.

October 1. they had a Conference; wherein they drew up a Confession of Faith, in the Matter of the Eucharist, in the following Form: *Forasmuch as Faith makes Things promis'd to us to be present, and that this Faith takes the Body and Blood of Jesus Christ in a very real manner by the Vertue of the Holy Spirit: For these Reasons we confess the Presence of the Body and Blood of Jesus Christ in the Holy Supper, in which he does present and exhibit to us very truly the Substance of his Body and of his Blood, by the Operation of the Holy Ghost; and we there spiritually, and by Faith, eat this very Body which died for us, that we may be Bone of his Bone, and Flesh of his Flesh; that we may be quickned, and perceive all that is necessary for our Salvation.*

This Confession of Faith was sent to *Poissy*, to the Prelates, who rejected it as pernicious and damnable. The Queen continued to cause the Conferences to be held, to see if they could not in some measure agree upon some Confession of Faith which might be approved by the Doctors and Ministers. Another was drawn up in these Terms: *We confess that*

The History of the Council of Trent. Jesus Christ in his Holy Supper, presents, gives, and exhibits to us really the Substance of his Body and Blood, by the Operation of his Holy Spirit; and that we receive and eat Sacramentally, Spiritually, and by Faith, that very Body which died for us, that we may be Bone of his Bone, and Flesh of his Flesh; that we may be quickned, and perceive all that is necessary to our Salvation: And because Faith, when supported by the Word of God, makes and renders things promised, to be present to us; and that by this Faith we verily and indeed receive the true and natural Body and Blood of our Lord, by the Vertue of the Holy Ghost; for this Reason we confess the Presence of the Body and Blood of him our Saviour in the Holy Supper.

The Queen received this Confession with Joy, not doubting but it had been drawn up by the Deputies of both Parties, who agreed in this Capital Point, as she had been made believe: She believed therefore that it would be approved by the Assembly of the Archbishops and Bishops that were employed in making Regulations for Ecclesiastical Discipline at Poissy. She sent it therefore to them, October 4. by Monsieur Bourdin, Counsellor of State, to be confirmed in the Assembly, whose Consent she expected towards the re-uniting the Catholics and Hugonots in the same Belief. But she was much surprized, when five Days after she understood that she was mistaken; for after the Bishops had read this Confession, they perceived it to be captious. However, that they might do nothing rashly in an Affair of that Importance, they had it examined in an Assembly of the Doctors of Divinity, who, after a mature Examination of all the Words and Terms, declared, with one Consent, that it was *captious, insufficient, and heretical*. *Captious*, because it was conceived in certain ambiguous Terms, which seemed to point at the Real Presence of Jesus Christ, which was overthrown in others: *Insufficient*, in this, that besides its not expressing the Real Presence of the Body and Blood under the Signs and Species of Bread and Wine, it gave no Efficacy to the Sacramental Words, nor to the Ministry of the Consecrating Priest: Lastly, *Heretical*, because when it says that Jesus Christ is present in the Eucharist by Faith, which leaning upon the Word of God, makes Things promised, present to us; it is evident, that it admits only a purely spiritual and mental Presence: For Faith makes and renders Things present only to the Mind, since thereby we only conceive and believe Things to be, as God has said they are, independent upon it; either past, present, or to come. Thus upon his Word we believe that he has wrought Miracles, and that he will judge the Quick and the Dead, and yet these Miracles, and the last Judgment, are really present no where but in our Mind, which conceives and believes them by Faith. So likewise Jesus Christ is not really present in the holy Sacrament of the Altar, because we believe it; but we believe it, because he really is there by the Almighty Power of his Divine Word which assures us so, and which makes what it says, by saying what it makes.

When the Prelates had examined this Censure of the Doctors, they unanimously approved it; and sent an Answer to the Queen, October 9. in a Writing which they all signed; whereby they declared, That out of Obedience to the King, they had consented that Beza and his Associates should be heard, that they might be instructed in the Truth, as they themselves had desired: That this had been sufficiently done in the very Learned and Catholick Harangue of the Cardinal of Lorraine, and in some particular Conferences; in which their Errors and Blasphemies had been very solidly refuted, which had been heard in the King's Presence, to the great Regret of all good Men: That it was necessary therefore, in the first Place, that in this Article they should submit to the Judgment of the catholick Church, and of its lawful Ministers, from whom they were obliged to receive both Faith and Law:

The History of the Council of Trent. That without this, the Bishops would hear them no more; but would look upon them as Persons obstinate in their Errors, and in their Revolt against the Church: That they most humbly desired the King to root them out of his most Christian Kingdom, in which Heresie was never suffered; unless they would immediately sign the under-written Confession of Faith concerning the Eucharist, in these Words: *We believe and confess, that in the holy Sacrament of the altar, the true body and blood of Jesus Christ is really and transubstantially present, under the species of bread and wine, by the divine vertue and power of the word pronounced by the Priest, the sole Minister ordained for that purpose, according to the institution and commandment of our Lord Jesus Christ.*

The Ministers Confession of Faith was also reformed thus: *We believe and confess, that the Priest, the Minister ordained by Jesus Christ, gives in the holy Sacrament of the altar, the true body and blood of Jesus Christ, which are under the species of bread and wine, and that by the effectual vertue of those words which he used when he instituted this Sacrament; and that we hold and eat the true body sacramentally, spiritually, and truly to our salvation, if by faith, and with a sufficient trial of our Consciences, we present ourselves to receive it; otherwise to our condemnation. And for as much as faith, supported by the word of God, makes and renders things promised present, (for whether we believe, or no, the word will still have its vertue) therefore we confess the true and real presence of our Lord, whom not only the truly Faithful receive, but also miserable Hypocrites, who have not true and sincere Faith.*

This Answer surprized the Queen and Ministers, who did all they could to renew the Conference. Accordingly they sent a new Exposition of their Belief, concerning this Article of the Eucharist, to the Bishops that were assembled; in which they joined several Expressions which gave the most Offence in the former. Dr. *Essenceus* was blamed for approving the Confession of Faith. He said he did not absolutely approve of it; but then he said, That he did not see these Heresies in it, which the other Doctors found in it: That the Hugonots never made one that came so near the Catholick Doctrine: That there were no Terms in it exclusive of a Real Presence: That he had reserved the Explication of his Mind more clearly, till they should come to the Adoration: That the new Confession of Faith was true; but he was not for Anathematizing those who did not attribute the Consecration to the Words of the Institution, because this Anathema would fall upon the Greek Church, which attributed that Effect, not to the Words of Jesus Christ, but to their Prayers. This Remonstrance did not please the Bishops, who stuck firm to their Resolution which they had taken, of not treating with the Ministers any longer, but as with Hereticks, unless they submitted by signing the Formulary which had been presented to them, purely, simply, and without modification; which the Ministers would never do. And thus the famous Colloquy of Poissy broke up.

When the Conferences were at an end, there came from Germany some Deputies of the Protestants, to assist at it; namely, *Joannes Andreas*, *Jacobus Buelinus*, and *Balthazar*, sent by the Duke of Wirtemberg: *Michael d'Ilher* and *Peter Boquin*, by the Elector Palatine. Some proposed to resume the Dispute concerning the Supper, believing that the Lutherans of Germany, and the Calvinists of France, not being agreed upon that Article, it would be easy to set them together by the Ears; which when the Ministers deputed out of Germany perceived, they went every Man to his respective Home.

Whilst the Divines and Ministers were disputing at St. Germain, the Bishops assembled at Poissy caused some Regulations concerning Ecclesiastical Discipline to be made for the Kingdom of France, which, however, they submitted to the Judgment of the Pope, by whom they desired them to be confirmed.

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The first was concerning the Promotion of Bishops. They ordain, that the Name of him, whom the King shall nominate to a vacant Bishoprick, shall be fastned upon the Chapter-House-Door, and the Door of the Cathedral Church, and other Publick Places, that every Man might have the Liberty, if he knew any Fault in him, to declare it to the Chapter; and if no Man says any thing against him, he shall make Profession of his Faith in the Chapter before the Archbishop, if he is a Bishop; before the Primate, if he is an Archbishop; or at least, before two Bishops; and afterwards he shall take his Provisions from the Pope: And if the Promotion of the Person nominated be opposed, the Matter shall be referred to the King, who shall provide for the vacant Church as he shall judge expedient, according to his Prudence. This Regulation also determines, That Bishops shall be lawfully begotten, thirty Years old; and that they ought to be publickly consecrated within six Months, after the Arrival of the Pope's Bull, by an Archbishop and two Bishops; and in the Archbishop's Absence, by three Bishops of the Province.

The second forbids Archbishops and Bishops to leave their Diocess; and enjoyns them to live in their principal City, or in Places which they shall judge to be most convenient for the Good of the Churches, in which they shall make their Residence; and if they be absent above three Months, Bishops shall be obliged to give an Account of the Cause of their Absence to their Metropolitans, and Archbishops to their neighbouring Bishops. They are exhorted likewise to apply themselves to the reading of Holy Books, and to Preaching; which they shall perform in Person, or by Persons whom they shall judge capable of acquitting themselves of that Employment, and of unsuspected Doctrine. They are required to perform the Functions of their Order themselves; and they are forbidden to make use of Suffragan Bishops. It is ordered, that for the future they shall take nothing for Letters dimissory; that those who are only Titular Bishops may give them, and that Chapters shall have no Right to give them in a Vacancy, but to those whose Benefices oblige them to take Orders within a Year: That Bishops shall visit their Dioceses, and call Synods once a Year; and that Archbishops shall hold a Provincial Synod every three Years: That Bishops shall have the chief Place in the Choir: That the Canons shall obey them: That the Causes of those who pretend to be exempted shall be judged by the Bishop, who shall be obliged to call to him four of his most ancient Canons: That the Power of absolving in reserved Cases shall be given to the Curates: That no Books shall be Printed and Sold, but what are licensed by the Bishop, and have the Author's and Printer's Name annexed. The Decree of the Council of *Basil*, concerning Censures is renewed, with an Addition, That no Excommunication shall be issued out, but upon weighty Causes; That they shall always be preceded by three Monitions; and that the King be desired that those that continue a Year under Excommunication may be imprisoned.

From Bishops they went to Dignities and Residendiariships: They ordain that those Offices be conferred only upon capable Persons, actually Canons of the Church, who shall be at least twenty Years of Age: That they shall be obliged to reside: That Archdeacons shall visit exactly, and shall give an Account to their Bishops: That they shall take Cognizance of no Affairs of Consequence, nor exercise any Ecclesiastical Censures.

Regulations concerning Canons are these: That they shall be eighteen Years old: That they shall be obliged to reside: That the young Men, however, may study in the Universities: That they shall hear the Readers, who shall be obliged to read Lectures in Divinity: That Canons, who are twenty Years old, shall be obliged to go into Holy Orders: That

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some shall communicate at High Mass on *Sundays* and solemn Holy-Days, to give an Example to the People. Besides, the Regulations of the Council of *Basil*, concerning the Lives and Manners of the Canons, and the Recital of the Offices, are renew'd. Curates are order'd not to be put into Possession of the Cures to which they are nominated, till they have been examined and approved by the Bishops, with the Seniors of the Chapters: That those who have Privileges from the Holy See to possess their Cures, shall not use them till they have made it appear to the Bishop and the Seniors of the Chapter, that the Cause of the Privilege is reasonable, and will not prejudice the Church: That Curates shall reside: That they shall be ordained Priests within the Year: That they shall often celebrate Mass: That they shall require nothing for administering the Sacraments: That they shall explain the Gospel to the People, and cause the *Creed*, the *Lord's Prayer*, the *Ave-Maria*, and the *Decalogue*, to be repeated in *French*.

Concerning Priests, it is order'd, That they shall not take Priest's Orders till they are twenty five Years old: That they shall have a Title to a Benefice, or an Estate: That the Pope shall be desired not to ordain *Frenchmen* at *Rome* or *Avignon*, unless his Holiness ordains them himself: That they shall not be ordained without assigning them a Church, or a Place to perform their Functions in: That if they quit them without Leave from their Bishop, they shall be excommunicated.

Monks are forbidden to profess before Eighteen, and Nuns before Sixteen: Visitations of Monasteries, and Correction of Monks, in Matters of Regular and Monastical Discipline, is left to their Heads, Abbots and Priors; and to Bishops in Matters relating to Doctrine and other Faults; those that have no Superiors, to be visited by Bishops as Delegates of the Holy See. Study is recommended to Monks, and the Cloister to Nuns.

Commendatory Abbots and Priors are required to take Holy Orders within six Months after their Provisions; to reside at least six Months upon their Benefices; to see Regularity observed, and to lead a regular Life themselves. The Election of the Heads of Orders is required to be observed, and that four Abbies of every Order shall be possess by none but Regulars.

The other Regulations relate to the Divine Offices, and the Ceremonies of the Church. The Principal are these: That private Masses shall not be said, whilst High Mass is saying, or in Sermon-time: That Priests shall prepare themselves to receive the Holy Myteries; that they shall pronounce the Words of the Mass, and perform the Ceremonies in a Manner that is grave and suitable to that Action: That only Hymns and Spiritual Songs shall be play'd upon the Organs: That the Books of the Ecclesiastical Offices shall be corrected and reformed: That the Entertainments and Feasts of Monks shall be retrench'd: That all superstitious Actions, and unworthy of Christians, shall be abolish'd: That the People shall be warned, that Images have no Dignity nor Virtue in themselves; and that they are set in Churches only to put People in Mind of Jesus Christ, and of the Saints: That God alone is to be adored, and Saints to be honoured as his Friends: That all those that are undecent, or that represent false and ridiculous Histories, shall be taken away.

This Regulation concludes with a Profession of Faith drawn up in these Terms. 'We firmly believe and confess, that the true Body and Blood of Jesus Christ are really and substantially under the Species of Bread and Wine by Vertue of the Word of God, pronounced by the Priest, the sole Minister for that purpose, according to the Law of our Lord Jesus Christ: That the Writings of the *Old* and *New Testament* are divinely inspired: That there is but one Catholick and Apostolick Church, and one sole Vicar of Jesus Christ, whose Faith ought to be

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received: That the certain and indubitable Authority of general Councils ought to be respected; and what they have once defined ought not to be called in Question: That Apostolical Traditions ought to be observed, according to the Orthodox Sense of the Holy Fathers: The Constitutions and Laws of the Church ought to be obeyed: The seven Sacraments, their Use, their Virtue, and their Fruit, ought to be acknowledged, as the Church has hitherto acknowledged and received them: And lastly, that all that our Ancestors have religiously and holily observed, ought to be kept; all sorts of Innovations detested; Schisms guarded against; all Heresy, and particularly the Errors of *Zuinglius*, *Calvin*, and other new Sectaries, as also those of the Anabaptists, abhorred.

These Regulations were publish'd at *Poissy*, *October* 24. 1561. Cardinal *de Lorrain* closed the Assembly with a Speech; and was deputed to carry the Resolutions of the Assembly relating to Reformation, the Subsidy, and the Appeasing the Disturbances of the Kingdom, to the King; and he pray'd his Majesty to approve of what the Assembly had done, to preserve Religion and good Manners in his Kingdom, and to give Order to the Governors of Provinces to keep a strict Hand.

Marriage of the Clergy, and Communion under both Kinds, desired by the French

October 20. the Bishops presented a Petition to the King, in which they most humbly begg'd, that his Majesty would, by his Ambassador at *Rome*, sollicite the Pope to allow the Clergy of his Kingdom to marry, and the Communion under both Kinds, particularly to all his Subjects, as it was practis'd in the Primitive Church? Nothing being more capable to facilitate the Return of those who are separated from the Church, who are uneasy at no Article so much as that. There were five or six Bishops, whose Names are not exactly known, who averred, that the restoring the Cup, then in Agitation, might be done by a Royal Edict, without any farther Ceremony. Their Reason was, because the Communion under both Kinds had not been taken away by any Decree or Canon of the Church, but only by a contrary Practice which had introduced it self, and that there was nothing which forbid Bishops to restore the ancient Usage.

Hereupon the King wrote to his Ambassador, *October* 24. commanding him to ask this Favour of the Pope, in the name of himself, and of his Clergy; and to make all the Sollicitations he could to that purpose to his Holiness, because he passionately desired it, by reason of the Fruit and Advantage which he expected, looking upon this as a sure way to obtain Union and Concord.

As soon as Monsieur *de l'Isle* had received the King's Packet, he desired an Audience of the Pope, which was granted, *November* 6. He laid before his Holiness the Favour which his Majesty and the Clergy of *France* desired of him, to give the Priests liberty to marry, and the Communion under both Kinds to all the Subjects of his Kingdom. The Pope replied, that he always believed the Communion of the Laity under both Kinds, and the Marriage of Priests, to be of positive Right; and that they might be granted according to Place and Time: That this gave some occasion to say in the last Conclave, that he was a *Lutheran*; but, however, he could conclude nothing without conferring with his Brethren, the Cardinals: That the Emperor had formerly desired the same thing for the King his Son, because he believ'd, as well as his most Christian Majesty, that it was a thing necessary for the Ease of his Subjects; and that since his Imperial Majesty had made the same Demand again, for all the Subjects of his hereditary Countries, to which the Cardinals would never consent; however he would do what possibly he could to satisfy his most Christian Majesty, and procure thereby the happy Success of the Affairs of his Kingdom, which tended to the Honour of God and of his Church.

The 8th. and 9th. of the same Month, Monsieur *de l'Isle* repeated to the Pope the Request he had made before for Communion under both Kinds; and the Pope promised next Day to call a Consistory, there to propose this Matter.

The Ambassador did not fail next Day (*November* 10,) to be at the Place, where the Cardinals met at the time, before the Pope went into the Consistory, to desire them every one, in particular, to back with their Votes the Request which the King his Master, and the Bishops of *France*, made to his Holiness, that he would grant to the Subjects of his most Christian Majesty, the Communion under both Kinds: He told them this was the Remedy which the Bishops of *France*, in the Assembly held at *Poissy*, look'd upon to be the most effectual for the Good and Interest of Religion, daily Experience having convinced them, that this was the sole and only Means till a Council should meet, to keep the Faithful in the old Religion, and to bring back those that were separated: That, however, since it was the Maxim of the Bishop of *France*, to order nothing in Matters of Religion without first consulting the Holy See, they address themselves to the King, and petition'd him to join his Prayers with theirs to obtain it. The most Wise and Moderate of the Cardinals answer'd him, that this Demand deserved a mature Deliberation; that they could not judge before they had considered, but they would act according to their Conscience, when they should be required by his Holiness. Some seem'd surpriz'd at it; as a new and unheard of thing; and the Ambassador acquainted them, that this Matter had been treated of several times before, as well in the Council of *Basil* as before Popes, upon occasion of the *Bohemians*; and that under the Pontificate of *Paul IV.* the Emperor made the same Demand for the Subjects of his Hereditary Countries. Some Cardinals looked upon this Demand, as the most dangerous that could possibly be made. The Cardinal of *St. Angelo* said, he would never give his Vote to give so great Poyson to the Subjects of his most Christian Majesty instead of Physick, and that they had much better be suffer'd to dye. Cardinal *de la Cueva*, a *Spaniard*, said, that he was so far from ever giving his Vote in favour of this Demand, that he was resolv'd, if it was ever granted by his Holiness's Authority, or the Cardinals Consent, he would stand upon the Stairs of *St. Peter's*, and cry aloud, *Misericordia*; since the Bishops of *France* must have been infected with Heresy, or they could not have made such a Demand.

The Ambassador made Answer, that so rash and and so injurious a Censure of the Bishops of *France*, shew'd that he did not understand their Merit, and that he was very ignorant in Antiquity and Divinity, upon the Principles of which the *French* Bishops founded their Request. Notice being given that moment, that the Pope was a coming, the Ambassador went to meet him; and coming up to him as he came out of his Chamber, he went along with him; as far as the Consistory, and exhorted him to grant the Favour which his Majesty asked. The Pope answered immediately, that he was dispos'd to do it, and then making a Pause for some time, he ask'd the Ambassador, whether he would have it proposed in the Consistory? the Ambassador replied, that he never thought of that, and he had Orders to address himself only to his Holiness, because he was persuaded that by his sole Authority he could grant him the Favour which he desired; but when he saw the Consistory assembled for that very purpose, he thought it was his Duty to acquaint the Cardinals with the urgent Motives which the King and Clergy of *France* had to desire the Communion in both Kinds for the *French* Nation. The Pope replied, he could do nothing without conferring with the Cardinals. The Ambassador told him, when he left him, that he referred the whole to the good Pleasure of his Holiness, as to the Means which

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Deliberation of Cardinals upon the Demand of the French

The History of the Council of Trent. he was to take; but that he expected this Favour only from him. When the Pope had put on his Habits, he went into the Consistory; and the Ambassador retired to his own Lodging. He was scarcely got thither, when Word was brought for him to return to the Place where the Consistory was held, and that they wanted to speak with him. When he was come into the Chamber next the Consistory, the Cardinals Committees, *Reomans, Salvati and la Bourdaisiere*, went to him to ask him, as from his Holiness, to declare positively whether he desired that that Affair should be proposed to the Consistory; and insinuated to him, as from themselves, that the Pope alone could not grant his Request; and that in the Consistory there would not be one single Voice in his Favour. The Ambassador replied, that he had Orders from the King his Master, to apply himself only to the Pope. The same Cardinals came to him a second time, and told him that his Holiness was perplexed with his Request, by reason that the Cardinal of *Ferrara*, and the Nuncio, that were at the Court of *France*, had given his Holiness no Account of this Request of the Bishops, nor of the Petition which the Ambassador made him in the Name of the Clergy of *France*. The Ambassador replied, that the Cardinal of *Ferrara* and the Nuncio were sent into *France*, to negotiate some particular Affairs; and it was of those principally that his Holiness was to expect Information from them: That the King his Master was not bound to give the Legate nor the Nuncio an Account of what he was for his part to negotiate with the Pope by his own Ambassador. This Answer being carried to the Pope by the Cardinals, his Holiness sent them back, to tell this Ambassador, as from him, that he put off the Business to another time.

In this same Consistory the Pope named his Nephew, Cardinal *Attems*, his eldest Sister's Son, to go as fifth Legate to the Council; at the Solicitation of the *Borromee's*, who desired to have him at a distance from the Pope, as well as all the other Kindred of his Holiness; and he commanded, upon the 23^d. Instant, a publick Procession from *St. Peter's* to *Our Lady del Popolo*, which was to be preceded with Fasts and a Jubilee, to call down the Grace of the Holy Spirit at the Opening of the Council.

Three Days after this Consistory, the *French* Ambassador, in an Audience which he had of the Pope, signified to his Holiness the Displeasure he had, that he had not given the King his Master the Satisfaction he expected, and that his Holiness had raised so many Objections to his good Intentions, in a Matter so advantageous to the good of Religion, and to the Tranquillity of the Kingdom of *France*, which entirely depended upon his Authority. The Pope made to this Minister an Answer very different from what he had made him in the first Audience, which he gave him about this Matter; for assuming a haughty Tone, he said, that this Demand of the Communion under both Kinds, was an Act of Disobedience and Separation from the Church, which could not suffer Christians to administer the Sacraments differently from one another: That the Emperor, and his Son the King of *Bohemia*, had formerly made the same Demand: That when they were referred to the Council, they had laid the Business aside: That his most Christian Majesty ought to follow their Example; and so much the rather, because the Council was principally assembled to provide for the good of his Kingdom.

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Fifth Legate at the Council.

Communion of the Cup, and Marriage of Priests, refused the French by the Pope.

C H A P. XIV.

Opening of the Council.

Procession for the Council. **N**ovember 23. 1561. the Pope assisted barefoot at the Procession, which was made from *St. Peter's* to *Our Lady del Popolo*, for the Opening of the Council; and a few Days after, he order'd Cardinal *Attems* to go to *Trent*.

First Congregation. January 15. the Legates that were at *Trent*, according to the Pope's Order, held a general Congregation, in which the Cardinal of *Mantua*, as first Legate, made a Discourse concerning the Necessity of opening the Council, exhorting the Prelates to dispose themselves to so holy an Undertaking, by Fasting, Alms, and frequent Celebration of the Mass. Then the Bull of the Legation, dated March 10. before, which was drawn up in general Terms with the ordinary Clauses, was read; wherein they were told, that the Pope sent them as Angels of Peace to preside in the Council, which was to be opened upon the next *Easter-day*. Then they read three Breves.

Three Breves of the Pope's for the Council. The first was of March 5. which gave the Legates Power to suffer the Prelates and Divines to read prohibited Books during the holding of the Council. The second, of May 23. containing a Power to absolve those who should secretly abjure Heresy. The third, dated December 31. which the Pope sent upon the occasion of a Dispute raised by Dom *Bartolomeo des Martires*, Archbishop of *Braga*, at his Arrival at *Trent*; who pretended to take place of all *Portuguese* and *Spanish* Archbishops and Bishops, as Primate of *Portugal* and *Spain*, tho' they were consecrated before him; which the *Spanish* Bishops opposed, pretending for their Parts, that the Archbishop of *Braga* was not their Primate, but the Archbishop of *Toledo*. The Pope therefore, to cut up such Disputes by the Root, ordained by this Breve, that Patriarchs should precede Archbishops;

and that among Archbishops, the ancientest should have the first Place, without any regard either to the Dignity of the Churches, or to the Titles of Primacy, real or pretended.

After the reading of these three Breves, the Cardinal of *Mantua*, chief Legate, declared, that the Council should be opened the 18th. Instant. The *Spanish* Bishops demanded, that it should not be open'd as a new Council, but as a continued one, depending upon the former, which had only been suspended; and that this should be expressly declared; otherwise they would enter their Protections and return into *Spain*. The Cardinals of *Mantua* and *Warmia* opposed the making of this Declaration, by remonstrating, that it would only take from the Empire and the most Christian King the Hope they still had of bringing the Protestants to submit to the Council, and dissuade them from sending any body thither on their parts: But the *Spaniards*, without entering into any of these Considerations, being desirous to have the thing put to the Vote, grew so hot, that very sharp Words were said on both sides. After many Consultations had together, the *Spaniards* at last agreed, by the Mediation of the Archbishop of *Granada*, and the Bishops of *Visco* and *Leon*, who had a Conference with Cardinal *Seripandi*, that they would desist from their Demand, upon condition, that no Words were made use of which signified a new Council, and that this should be no prejudice to the Demand of *France*; that the Emperor and the King of *France* might not be offended, and the Protestants might have no occasion to complain. Accordingly, it was agreed, that some equivocal Expressions should be used, such as these, *Celebration of the Council, all Suspensions of what Nature soever being taken off.*

Difficulties concerning the Opening or Continuing of the Council.

The Legates promised the *Spanish* Bishops besides, That the Pope should confirm all that had been done in the foregoing Sessions, even though the Council should be dissolv'd or could not make an end. The Cardinal of *Mantua* said, Moreover, That it would be decent that the Prelates should assist in a Body at Mass every Holiday, and that they should have a Sermon in *Latin*; but since it might so happen, That those that were to preach might not well know what would be proper for the Time, the Place and the Auditory, it would be convenient to have a Prelate named, who, in Imitation of the Master of the sacred Palace, might revise and reform whatsoever was to be said in publick. This Advice pleased the whole Assembly; and *Giles Foscararo*, Bishop of *Modena*, was immediately named to examine all the Sermons and other Discourses which were to be pronounced before the Fathers of the Council.

January 18. which was the Day appointed for the opening of the Council, all the Prelates, to the Number of 112. and those who had a Right to assist at the Council, being assembled at *St. Peter's* Church, went from thence in Procession to the Cathedral; where the Cardinal of *Mantua* sang the Mass of the Holy Ghost; and *Gaspar del Fossa*, Archbishop of *Reggio*, preached. He discoursed about the Authority of the Church, and of Councils: He began with telling them, That the Authority of the Church was not less than that of the Scriptures, because it receiv'd it from God; so that whoever hears it, hears God; and whoever despiseth it, despiseth God: That the Church alone has Power to distinguish Canonical Books from Apocryphal, Catholick from Heretical; to interpret the Scripture faithfully, to reject whatsoever may be hurtful, and to embrace what may be profitable: That this was the reason of *St. Augustin's* saying, *I should not believe the Gospel, if I were not induced to it by the Authority of the Church*: That what they called the Church, was the Assembly of the Faithful, and of Prelates, which cannot err, because it is enlightened by the Holy Ghost, by Jesus Christ its Head; and that whosoever does not acquiesce in its Determinations, opposes Jesus Christ himself, and ought to be esteemed as a heathen Man and a Publican: That those do not deserve to be heard, who would have the Determinations of Councils examined over again, especially if they have been confirmed by the holy See. That what has been once decided concerning Matters of Faith in a Council, has been never known to be resumed, but only things that relate to Manners and Ceremonies, which may be changed according to the variety of Times and Places: That we need not wonder that Hereticks should cry out so furiously against the Authority of Councils, because there 'tis that they find themselves condemned: That if (which is impossible) they should find any Council favourable to their Errors, then only they would acknowledge its Authority; and, That it is to no purpose for them to pretend to use the Word of God, thereby to ruin the Authority of the Church, as if the Church, which is the Body of Jesus Christ, could be contrary to his Word, and the Head to its Body: That on the contrary, the Authority of the Church borrows its Lustre and Majesty from the Scriptures, when it declares, That these holy Books come from God, when it gives them to be read, when it faithfully explains their Sense, when it condemns what is contrary to the Doctrine which they contain, even then, when by this Authority we see legal Ceremonies abolished, though commanded in Scripture by our Lord; the Lord's Day substituted in the room of the Sabbath, so famous in the Law of God; Circumcision ordained to *Abraham* and his Race with Threatnings, so entirely done away, That *St. Paul* declares to the *Galatians*, That if they are circumcised, they are fallen from Grace, and Jesus Christ profits them nothing: That yet all these Ceremonies and others

of the same sort, were not abolished by the Preaching of Jesus Christ, since he came to fulfil the Law, and not to destroy it: And therefore, That this Change is wrought by the Authority of the Church; and, That if this Authority were destroy'd, since Heresies must be, Truth could never be discovered, nor the obstinacy of Hereticks be confounded; and Disorder and Confusion would be quickly seen in Religion. Upon Occasion of the Festival of *St. Peter*, which was celebrated that Day in the Church, he spoke of the Popes Supremacy; and ended with a Prayer to Jesus Christ, That he would send the Holy Ghost to enlighten and conduct the Fathers of the Council.

When Sermon was done, the Cardinal of *Mantua* thundred out the Hymn of the Holy Ghost; when that was over, and every Man seated, the Bull was read, wherein the Pope set forth, 'That as soon as ever he was called, by the sole Mercy of God, to the Government of the Church, he cast his Eyes upon every Part of Christendom, and saw with mighty Horror, how much the Contagion of Schism and Heresy had spread its self on every side, and how much the Manners of Christians wanted to be reformed; whereupon, according to the Obligation of his Ministry, he immediately began to apply his Cares and his Thoughts to seek out Means to extirpate Heresies, and to extinguish so pernicious and spreading a Schism, and to remedy so great a Corruption and Depravation of Manners. Knowing therefore, That the most proper Remedy to cure all these Distempers, by which also the Holy See has several times already happily been preserved, was to call a general Council; he had for that purpose taken up a Resolution to call and celebrate one, by the Assistance of God: That there had indeed one been called by *Paul III.* and *Julius III.* but it had been frequently stop'd and interrupted upon different Accounts, and could not be brought to a Conclusion, having particularly been suspended and delay'd by the bloody Wars which the Enemy of Mankind had stirred up between Christian Kings and Princes, that a thing so advantageous to the Church might at least be retarded as long as possible, that Heresies might extend and multiply in the mean time, and Schism gather new Strength and Increase. But that since now at last, the All-good and merciful God had given Peace and restored Unity and Concord among Christian Princes, he had embraced this Opportunity of calling a general Council, in hopes to put an end, by that Means, to all the Evils which afflict the Church: That for this Reason he thought it his Duty not to defer the Celebration of it any longer, both that he might destroy Schisms and Heresies, and that he might reform and correct Mens Manners, and preserve Peace between Christian Princes; That for this purpose he maturely deliberated with the Cardinals, and acquainted the Emperor *Ferdinand*, and other Kings and Princes, with his Resolution; whom he found very well disposed to aid and favour the Celebration of the Council: Accordingly, That with the Advice and Consent of his Cardinals, grounding upon, and supported by the Authority of God himself, and of his Apostles *St. Peter* and *St. Paul*, whose Office he executed upon Earth, he appointed the general Council to be held at *Trent* upon the next Festival of the Resurrection of our Lord, all Suspension being removed, summoning and exhorting Patriarchs, Archbishops, Bishops, Abbots and others, who by common Right, Privilege or ancient Custom, have a deliberative Voice; enjoining and commanding them expressly, under the Penalties set down in the holy Canons, That they appear at the City of *Trent* at the Day appointed, to assist in the Council, there to be held; unless they have some lawful

ful Excuse, which however they shall be obliged to make good at the Council, by lawful Proxies sent thither for that purpose. And therefore, that he prayed all and every of those that were or could be any ways concerned, not to fail to come to the Council. Lastly, that he prayed the Emperor, Kings and other Princes to send their Ambassadors thither, in case they could not assist in Person; and to choose prudent, wise and virtuous Persons for that purpose; and especially so to order it according to their own Piety, each one in his own Kingdoms and Estates, that the Prelates do their Duty to God and to the Church, in this so necessary a Conjuncture, without Excuses or Delays; as also to give the necessary Orders for free Passage and Security of travelling through their respective Dominions, to the Prelates and their Retinue, and to all those in general, who might go to the Council and return back again; as he would also do reciprocally on his part, who had nothing else in view in the Celebration of this Council, but the Glory of God, the Recovery of the lost Sheep, with the Salvation and perpetual Tranquility of all Christendom. To the end therefore that this Bull, and the Contents thereof, may come to the Knowledge of all, to whom it may belong, and that no Man may pretend Ignorance; he wills and ordains that it be read aloud publickly, and set up in Rome, and that this Publication shall oblige, within two Months, all that are comprehended in it, in the same manner as if the Bull had been read to every one of them in particular. Dated December 1. 1561.

When the Bull was read, the Archbishop of Regio read the following Decree.

Most illustrious and most reverend Lords, and reverend Fathers, are you content, that for the

Honour and Glory of the most holy and undivided Trinity, Father, Son and Holy Ghost, for the Increase and Exaltation of the Faith and the Christian Religion, the holy, oecumenical and general Council of Trent, lawfully assembled under the Guidance of the Holy Ghost, all manner of Suspension being taken away, shall be held and celebrated from this 18th. Day of January An. Dom. 1662. which Day is consecrated to the Memory of the Chair of St. Peter, the Prince of the Apostles, according to the Form and Tenor of the Bull of our holy Father, Pius IV. Pope, and that a due Order being observed, the Legates presiding and proposing there those things which to the holy Council shall seem proper and convenient, for the aswaging the Calamities of the Times, appeasing the Differences concerning Religion, stopping malicious and deceitful Tongues, and settling a real and Christian Peace in the Church, may there be treated of. The Fathers unanimously answered, They were content; except Pedro Guerrero, Archbishop of Granada; and Francisco Blanco, Bishop of Orense; who said, that that Clause, Proponentibus Legatis, was new, and unknown to other Councils, and restrain'd the whole Right of Proposing to the Legates. Andrea Guesla Bishop of Leon, and Antonio Gorronero Bishop of Almeria, said they could not approve of this Clause, unless the Legates would propose nothing but what the Council should beforehand think worthy to be proposed: Both of them demanded, that their Declaration might be registred in the Acts of the Council; but no Answer was made. Next Session was appointed upon the 26th. of February following.

The Legates immediately gave the Pope an Account of what had been done in the Congregation, and in the Session; and his Holiness imparted it to the Consistory.

C H A P. XV.

Troubles of France by the Wars of the Hugonots. First Edict to tolerate the Exercise of the Pretended Reformed Religion.

While the Council was assembled at Trent, the Hugonot Party every Day got Ground in France, and grew bolder and more enterprising, especially finding themselves supported by the Prince of Conde, and the Admiral of Chatillon; so that at the Intigation of their Ministers, they began to assemble publickly, notwithstanding the Prohibitions in the Edict of July, 1561.

The Colloquy of Poissy seemed to have given them more Liberty to defend their Opinions publickly, and to set up Meetings almost every where. On the other Hand, the Catholicks, who were openly supported by the Constable, the Duke of Guise, and the Marechal of St. Andrew, (who were called the Triumviri) and secretly by the King of Spain, opposed the Establishment of the Hugonots by Force, and drove them from those Places where they were strongest: So that all France was in an Uproar, and on Fire, by the cruel Wars which were made in the Provinces between the Catholicks and the Hugonots. The whole Kingdom was turned upside-down, the Magistrates without Jurisdiction, the People under continual Alarms, the Payment of the publick Taxes was stop'd, the Cities were disturbed by frequent Seditions, the Country wasted, the Churches rifled and burned, and France was all in a Combustion. The Catholicks cried out aloud; and the Admiral de Chatillon on the other side, petition'd for Churches in the Name (as he said) of 2150 re-

formed Congregations. To put an End to these Troubles, it was thought advisable to call an Assembly, which was to be composed of some Presidents, and two Counsellors of each of the eight Parliaments of the Kingdom. This the Queen consented to; and the Assembly was summoned to meet January 1. 1562. The Queen, the King of Navarre, and the principal Officers of the Crown were there. The Cardinal of Ferrara was invited to assist there, as Counsellor; but the Apprehension which he had That this Assembly would not conclude happily for the Interest of the Catholick Religion, made him not appear there.

After they had debated the Matter for several Days, at last, upon the 17th of that Month, came out the famous Edict of January, which was the first Edict that was ever published in France, to tolerate any Religion in that Kingdom besides the Catholick. That Edict set forth, that the Reformed should restore the Churches, and the Goods of the Ecclesiasticks, which they had usurped: That they should forbear to pull down Crosses, Images, and Churches, upon pain of Death: That they should not preach nor administer the Sacraments in publick or private, by Night or by Day, at Court or in Cities: That all Prohibitions and Penalties ordained by the Edict of July, should continue suspended: That if they preach'd out of Cities, they should not be molested by the Inhabitants, nor hindred by the

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Magistrates; but on the contrary, they should defend them from all Insults: That they should be quiet on both sides, without provoking one another with the injurious Terms of Papists and Hugonots:

That the Magistrates might assist at the Assemblies of the Reformed: That they should hold no Synods, Colloquies, nor Consistories, but in the Presence, or at least with the Leave of the Magistrate: That the Protestants should observe the Civil Laws of Holidays, and prohibited Degrees of Marriage: That their Ministers should take an Oath before a publick Officer, never to contravene this Edict, and to preach nothing contrary to the *Nicene Creed* or the Bible.

Difficulties about the Verification of the Edict.

The Parliament of *Paris* would not verify this Edict, nor even after three Orders; and the University laboured all it could, by its Remonstrances to the Parliament, to hinder its Verification. The Parliament stood stiff, till the Queen carried the King to the Parliament upon *March 6.* when his Majesty commanded, upon pain of Disobedience, that it should be registred; declaring, that that Edict was only provisional, till the general Council, or till he himself should otherwise determine; that he did not pretend to approve of two Religions in his Kingdom, but only that of the Church of *Rome*, in which he was born, and wherein he would die, as his Predecessors had done before him. The Parliament, which could no longer resist the absolute and royal Authority, verify'd the Edict hereupon, with a Clause, that it was only to obey the King, till he should otherwise ordain; and without approving the new Religion.

Queen's Reasons to the Pope.

Queen *Catherine de Medici* was apprehensive, that considering what disadvantageous Notions the Pope had formed to himself of her Conduct with relation to the Hugonots, his Holiness might be persuaded, that by the Edict of *January*, and the new Conference which was appointed between some Doctors of the *Sorbonne* and some Ministers, she only prepared a Way to separate from the Church of *Rome*; for which Reason she thought it advisable to undeceive the Pope, to send *St. Gelais*, *Sieur de Lansac*, Knight of the Order, and Chamberlain, Ambassador extraordinary to his Holiness, and order'd him to depart immediately; and she took particular Care to put it into his Instructions, that he should not fail, in the first Visit he was to pay to his Holiness, to represent the extream Grief his most Christian Majesty was under, as also the Queen and the King of *Navarre* his Uncle, (g) to find themselves so falsely represented to his Holiness: That his Majesty, being desirous to efface the mischievous Impressions which

[(g) The King of *Navarre* was not really the King's Uncle, but had that as an honorary Title, by reason of his being the first Prince of the Blood.]

may have been made upon his Holiness, had charg'd him to declare to his Holiness in his Majesty's Name, and to let him understand as his good Father, all that he has done, since his Coming to the Crown, towards the Procurement of Peace and Union amongst his poor Subjects, who are disunited and separated from the *Roman Catholick Church*: That to obtain this he had at first solicited his Holiness by Mr. *Ramboillet*, his Ambassador of Obedience, (h) to call a general Council with all Speed: That to prevent the Spreading of Heresy in his Kingdom, his Majesty had made several Ordinances, particularly that of *July*, in which he forbade the Hugonots to assemble: That the Colloquy of *Poissy* was only called, that they might know the Causes of the Division between the Catholicks and Hugonots the better: That the Prelates of *France* had so well examined and understood them, that they were now much more capable to do Service to the Church in the Council of *Trent*. That as to the Edict of *January*, his Majesty was forced to make it, by reason of the Condition which his Kingdom was in; the Rigor of former Edicts having served hitherto only to make the Hugonots more obstinate, and to encrease their Number. And lastly, that the Slowness of the Council was such, that it was thought necessary to assemble some Doctors and some Ministers, that they might see whether they could not agree amongst themselves in the Presence of the Cardinal of *Ferrara* and some Bishops, concerning the Differences of Religion: That in this Matter, his Majesty had only followed the Example of *Francis I.* in the Assembly at *Melan*, which he called upon a like Occasion: That his Majesty intended, that the Bishops should draw up Articles of what had been resolved in that Assembly, which should be sent to the Pope for his Holiness to examine; and therefore, that his Majesty desired the Pope to attend to the Motives which induced him to do what he had done, and not to the false Reports of some ill-disposed Men.

The Queen also engaged the Cardinal of *Ferrara* to send a very long Account to the Pope in Writing, of all that had past in relation to the Edict, and of the Necessity his Majesty lay under to grant it.

The Pope, in the Audience which he gave to Monsieur *de Lansac* at his Arrival at *Rome*, seemed to be satisfied with the King's Reasons; and told him, that if he would stop his Enemies Mouths, he ought to order the Bishops of his Kingdom to go away immediately for *Trent*.

[(h) The Ambassador which the King of *France* sends, upon his first coming to the Throne, to the Pope, to testify his Obedience to the See of *Rome*, is call'd by the *French*, the Ambassador of Obedience.

C H A P. XVI.

History of what past in the Congregations and Sessions of the Council, to Session XXI.

Debate in the Congregation, concerning the List of prohibited Books.

IN the Congregation which was held at *Trent* *January 25. 1562.* the Legates proposed three things. 1. To examine the Books that had been written by several Authors since the Birth of the new Heresies, with the Censures of the Catholicks upon them; that so the Council might determine about it. 2. To cite by a Decree, all that should be concerned in this Matter, that so they might not complain that they were not heard. 3. To see whether they ought to grant a safe Conduct to those that were fallen into Heresy, and to invite them to Repentance with Promises of fair Treatment, if

they would own the Authority of the Catholick Church: They gave the Fathers notice to prepare to give their Opinions as well about Books and Censures, as about all the rest in the next Congregation, which was to be held upon the first of *February*.

January 29. Cardinal *Attems* arrived at *Trent*; and next day, *Antonius Muglizius*, Archbishop of *Prague*, the Emperor *Ferdinand's* Ambassador, came thither also.

In the Congregation of *February 1.* the Articles proposed in the precedent Congregation were debated. *Ludovico Beccatelli*, Archbishop of *Ragusa*, and *Antonio*

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Antonio Salvago, (i) Archbishop of *Genova*, said, that this Enquiry about Books would produce no Effect, and might even hinder their concluding upon other Points, for the Decision of which the Council was then assembled; because *Paul IV.* having made an exact Catalogue, by the Advice of the Inquisitors and several other learned Men, out of all Countries, nothing could be added to it but some Books that had appeared within these last two Years, which did not deserve the notice of a Council; whereas if they once came to allow of Reading of any Books which were forbidden in that List, they would tax the Court of *Rome* of Imprudence, and at the same time, take away the Reputation of the List already published, and of the Decree that should be made; because it was a sort of an Axiom, that new Laws are not so much respected as old ones; and besides they had no more need of Books, since the World had too many already, especially since the Invention of Printing. He added moreover, that it was better to forbid several Books which might be good, than to allow one single ill one; and besides it was not worth the while for the Council to take the pains to give the Reason of its Prohibitions, either when it censures, or when it approves those that the Catholics have made already in several Places; in either of which Cases, the Council would infallibly draw Contradiction upon it self: That a Doctor indeed might give his Reasons, but a Law-giver should not do it, because his Authority is lessened when he does it, since the Reasons which he gives are then examined, and when Men think they can object against them, or answer them, they then fancy that the Prohibition and the Command are of no farther force: That it was by no means convenient to correct any Books, lest they should provoke the ill humor of those that might say, that things were omitted which ought to have been corrected, or that others were alter'd which did not deserve it; besides, that the Council would expose it self to the Resentment of all those who should have Kindness for the Books which should be forbidden, and so draw Opposition upon all the other Decrees which it should hereafter make. Lastly he concluded, that *Paul IV.*'s Catalogue being sufficient, he could not approve of the Fathers spending time to no purpose, in doing what was done already, or undoing what was well done. This Opinion was supported by all the Creatures of *Paul IV.* and particularly by *Peter Contarenus*, Bishop of *Paphos*, a particular Friend of *Paul IV.*'s. before he was made Pope; who said there was nothing to be alter'd in the List which was drawn up by that Pope's Order: That those who were for making any Alterations, did it more out of a Love of Novelty, which leads Men to contradict what their Forefathers had done already, than out of a real Zeal for Religion: That they ought to fear, lest, by making this Alteration, they should give an Example to Posterity to condemn what they had done themselves, and to set aside their Decrees.

John Thomas St. Felix, Bishop of *Cava*, was of a contrary Opinion; saying, that the Council ought to treat the whole Matter of the Books over anew, as if there had been no Prohibition; because that which the *Roman* Inquisition had made, was upon that account odious to the *Ultramontans*, and besides was impossible to be observed; which is an answerable Reason why a Law should be repealed, especially when Delinquents are too rigorously punished: That the Credit of that Tribunal ought indeed to be kept up, but that this might be easily done, if they took no notice of it, though they should make necessary Regulations, and moderate the Punishments; and consequently, that they had nothing

else to do but find out Ways and Means: That the best way in his Opinion was, that the Books which had not yet been censured, should be distributed among the Fathers and Divines present in the Council, and also among those that were absent, who might examine and censure them; and then that the Council should appoint a Committee, who might judge of the Censure, and the Books: And that this might be done to all Books that were censur'd; after which, the general Congregation might determine what it should judge to be convenient for the publick good. As for citing the Parties concern'd, he said, there were two sorts of Authors, one separated from the Church, the other united to its Body: That they ought not to trouble themselves with the former, because, according to *St. Paul*, they were Self-condemned, and their Works too were condemned through their Separation: That the latter were also of two sorts, some Dead, and some Living: That these ought to be cited and heard, without which their Books could not be justly censured, because it concerned their Honour: But that as to the Dead, who had no longer any particular Interest, they might act freely whatsoever might be for the publick good, without fearing to offend any Body. Another Bishop added, that they ought to observe the same Form of Justice towards Catholick Authors that are Dead, upon account of their Kindred and Disciples, to whom the Glory or Infamy of the Dead did redound; and that even though there were none of these, yet the bare Memory of the Dead ought not to be judged, before it was defended first. Others said, that it was not just to condemn the Books of Protestants, without hearing them: For though their Persons are condemned of themselves, yet the Laws never suffer Men to come to a Definitive Sentence, even where the Fact is notorious, till after a Citation; whence they concluded, that this ought not to be done any more against Books, though they contain'd manifest Heresies.

Daniel Barbaro, Coadjutor to the Patriarch of *Aquileia*, was of opinion that the Books contain'd in *Paul IV.*'s Catalogue should be re-examined, because that Pope condemned there, under the same Penalties, the Reading of amorous and merry Books, as of Heretical ones; and that it was equally dangerous to good Government to let Crimes go unpunished, as to establish the same Penalties for great Faults as for small ones.

Marcus Antonius Elius, Patriarch of *Jerusalem*, went much farther, and was for having all Books in general, Ancient and Modern, re-examined. For this purpose he thought it proper to leave the Legates to choose the Persons whom they should judge capable of that Employment.

Dom Bartholomeo dos Martires said, that so vast a Design could only be executed by whole Universities; and therefore he was for leaving the Examination of Books to the Universities of *Bononia*, *Paris*, *Salamanca*, and *Coimbra*; and that those Universities should be required to take none into their Bodies, till they had gone through with those Books they had undertaken to inspect, that they might by that means be engaged to give their Judgments the more speedily.

Christopher of *Padua*, General of the *Augustinians*, said, they need not make another Catalogue; they need only correct that of *Paul IV.* which he had taken care to make already: That he had for that purpose consulted all those Books which were in the *Vatican* Library: That there was but little behind to make the Work perfect, and to put the last Hand to it: That it would be sufficient, if they would choose out of every Order learned Men, who might examine the different Editions, and the true

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[(i) This Archbishop of *Genova*'s Name was *Augustine*; and so it is in the *Italian* Copy of *F. Paul*, and in the Catalogue of the Prelates of the Council, Printed at the end of the Decrees

of the Council of *Trent*. *Du Pin* here, had *Mr. Amelot's* French Translation of the Council before him, where *Anthony* is put instead of *Augustine*, through negligence.]

The History of the Council of Trent. Names of Authors; and take notice of what Books deserved a full and entire Censure, and what Books needed only to be corrected in some few Passages, since the rest might be good and useful.

Vincentio Justiniani, General of the *Dominicans*, opposed the choosing the Superiors of Orders and Regulars to reform *Paul IV's* List; and was for having *Dom Bartholomeo dos Martires's* Opinion followed, who was for leaving it to the Universities.

As to the second thing which was to be debated in that Congregation, namely, Whether the Authors, whose Books were to be censured, were to be cited by a Decree, that so they might not complain that they were not heard? *Antonio Rosetto*, Bishop of *Comachio*, said, it was for their Honour, the publick Interest, and besides just in its self, that Authors should be invited to give an Account of their Doctrine, and that their Explications should be heard.

John Baptista Castagna, Bishop of *Rossano*, who was afterwards Pope, by the Name of *Urban VII.* was of a quite contrary Opinion; which *Augustinus Buoncompagnus* supported by several Reasons, and particularly by the Authority of *P. Gelasius*, who in the Canon *Sancta*, which is set down in the Decretal, condemned the Books of Hereticks without hearing their Defences; because their Business was not to condemn Mens Persons, but their Writings: That it was sufficient that the Church took notice of Books which were dangerous as to Doctrine and Manners: That then it had a Right to condemn them, just as in a well-governed State. Men never suffered any Trade which might be prejudicial to the Subjects of that State, but were content to seize upon the Goods, without informing themselves about the Workmen that made them.

Debate about the safe Conduct.

As to the last Article, namely, Whether they should offer a safe Conduct to Hereticks, and invite them to Repentance by Promises of favourable Treatment? there were several Opinions; and the Legates themselves were of contrary Judgments. The Cardinal of *Medina* was for a General Pardon: He said, That this would bring over Abundance of People: That this was a Remedy which all Princes made use of in Seditions and Revolts, which they could not easily compose, by granting a Pardon to all that would lay down their Arms; because then the least guilty would retire, and that would weaken the rest: That if they could hope to gain but one, or even not one, yet it would be still more glorious to use Clemency. *Ludovico Beccatelli*, Archbishop of *Ragusa*, was of the same Opinion; and added, That he thought the Word *Heretick* ought not to be put into the safe Conduct. On the contrary, Cardinal *Simonetta* said, That to grant a general Amnesty, was to hazard the Loss of the rest; because many People easily swerve from their Duty, when they see their Faults can be pardon'd without Difficulty: That besides, Severity, which was insupportable to those that smarted by it, kept infinite Numbers of others in Obedience: That it would be well enough to shew Mercy to those that implored it; but to throw it away upon those who did not ask nor care for it, would induce Men to be careless in their Behaviour: And last of all, that Heresy would be reckoned a small Fault, when Men saw it was so easily forgiven.

The Prelates were divided between the Opinions of the two Legates; and those who were against sending a safe Conduct, said, That when the Council was first held, when it was directed by a very prudent Pope, and by Legates who were pick'd out of the sacred College, it was given to none; because it was judged to be neither necessary nor convenient: That when the Council was assembled a second Time under Pope *Julius III.* a safe Conduct was granted, only because it was desired by *Maurice Duke of Saxony*, and by the Emperor, in the Name of all the Protestants; but now, since none demanded it, and that on the contrary, *Germany* loudly protested against owning this Council to be

lawful, a safe Conduct would only give occasion to sinister Interpretations of the Protestants: The Spanish Bishops were against granting a safe Conduct, upon account of the Inquisition; saying, that under Favour of a safe Conduct several would declare themselves Protestants, and under pretence of going to *Trent*, when they were sure of not being molested by the Inquisitors, they would spread their pernicious Doctrine. At last it was resolved concerning the Catalogue, that they need only nominate a Committee for the present, and put a Word into the Decree, in behalf of the Persons concerned, that they should be favourably received by the Council; and that as for the safe Conduct, they would take Time to consider of it, because of the difficulties which arose about it.

A Congregation was order'd upon the 6th. in which *Antonius Miglizius*, Archbishop of *Prague*, was to be received as the Emperor's Ambassador; and *George Draskovitz*, Bishop of *Five Churches*, as his Ambassador for the Kingdom of *Hungary*. But before that Congregation was held, *Ferdinand Martinez Mascarenhas*, the King of *Portugal's* Ambassador, remonstrated to the Legates, pretending that the Bishop of *Five Churches* ought not to be received in the Congregations before him: First, Because he had no Letters of Credence in Form, but only a missive Letter from the Emperor, which had been sent to him in *Hungary*, thus superscribed, *To the Reverend and our Faithful Bishop of Five Churches, our Ambassador at the Council of Trent*; and in that Letter he was only ordered to go to *Trent*, and to stay there with his Imperial Majesty's Ambassadors, without having such Powers as are given to Ambassadors: Secondly, Because it would be a Prejudice to the King his Master, to give Audience, and to admit in a full Congregation the King of *Hungary's* Ambassador before his; it being undisputed, that the King of *Portugal* took place of the King of *Hungary*. The Legates told him, That the Form added nothing to Letters of Credence, and that it was enough to them to own the Bishop of *Five Churches* as the King of *Hungary's* Ambassador: That the Emperor gave him that Quality, as King of *Hungary*; and that the Letters which that Bishop brought, were signed by his Majesty: That the Council did not pretend to prejudice the Rights of the King of *Portugal*, by giving publick Audience to the King of *Hungary's* Ambassador before they gave it to his: That herein they only followed the Usage of the Court of *Rome*, which gives the first Publick Audience to that Ambassador who comes to *Rome* first; and consequently the Bishop of *Five Churches* being arrived at *Trent* before the *Portuguese* Ambassador, the Fathers thought he ought to have his Audience first.

February 6. *Antonius Miglizius* appeared in the general Congregation, and presented his Letters of Credence. After they had been read, he made a very short Speech; in which he pray'd the Fathers to excuse *Sigismund Thum*, his Colleague, because he was not yet come to *Trent*, the Ways being so bad, that he could not make so much Haste as he could have wished; and that it was their Business to see whether they would admit him at present, and own him, tho' he was alone; or whether, that they would stay till *Sigismund Thum*, his Colleague, arrived. The Fathers answered, that they would receive him with Pleasure. Then the Bishop of *Five Churches* presented his Letter. When he had read it, he was received as the King of *Hungary's* Ambassador, notwithstanding the three *Portuguese* Bishops Opposition; namely, *Dom Bartholomeo dos Martires*, Archbishop of *Braga*, *Gaspar Casal* Bishop of *Leria*, and *John Suarez* Bishop of *Coimbra*; who protested, that the Audience which had been given to the King of *Hungary's* Ambassador, could not prejudice the King of *Portugal's* Precedence.

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February 8. Ferdinand Martinez Mascarenhas, Ambassador of Portugal, presented the Letters of Credence of the King his Master, and was admitted among the Ambassadors: Seeing he understood neither Italian nor Latin, a Doctor of his Train spake in his behalf, and made a long Discourse; in which he shew'd the Usefulness of Councils in the Church, and the Necessity of this; and mentioned the Hindrances which had been given to it formerly, and how Pius IV. got over them by his Prudence. He said the Authority of Councils is so great, that their Decrees are esteemed as the Oracles of God: That Sebastian, King of Portugal, hoped that this Council would put an End to all the Differences in Religion, and bring back the Ecclesiastical Order to the Purity of the Gospel: That he sent to them Dom Ferdinand as an Hostage of his Respect and Piety, of which the Portuguese Bishops already come, and those that were to come, could give sufficient Evidence. He mentioned the Zeal of the ancient Kings of Portugal, who had taken so great Pains to submit Numbers of Provinces to the Obedience of the Holy See; and that less ought not to be expected from Dom Sebastian. He occasionally spake of the Nobility and excellent Qualities of the Ambassador; and at last desired the Fathers to hear him favourably, when he was to treat with them about the Affairs of the Churches of Portugal. The Promoter replied in few Words, That the Council read the Powers and Letters of Credence, which had been presented by Dom Ferdinand Martinez Mascarenhas, with Joy; and delighted to hear him speak of the Piety and Zeal of the King of Portugal: Tho' he had told them nothing new, since all the World knew how much the Catholick Religion was indebted to the Kings of Portugal, who had carried it as far as the East; and particularly to Dom Sebastian now reigning, who had preserved it in his own Dominions, notwithstanding all those Dissensions and Heresies which had overspread the World: That the Council thanked God upon that account, and received every thing which came from that Prince, as it ought to do.

Feb. 9. Sigismund Thum, the Emperor's second Ambassador in the Council, was received in the Congregation. His Powers and Letters of Credence had been read when Antonius Miglitzius, the first Ambassador, was received; so they were not read any more; and by that Means they had Time to go on with the Business of the Council. The Nomination of the Committee, who were to examine the Catalogue of Books, was left to the Legates; as also of those who were to draw up the Decree for next Sessions. For the Catalogue of Books, they named George Draskowitz Bishop of Five Churches, and the Emperor's Ambassador for the Kingdom of Hungary; John Jerome Trevisani Patriarch of Venice, four Archbishops, nine Bishops, one Abbot, and two Generals of Orders.

Feb. 13. The Emperor's Ambassadors had an Audience of the Legates, and presented a Memorial containing these following Propositions:

1. That to take away all Pretence from the Protestants, of refusing to come to the Council, the Fathers should not use the Word Continuation of the Council, or any other Expressions that are equivalent.
2. That the Fathers of the Council should not for a long Time meddle with Doctrine; and that the next Session should not be held upon the Day that was set, because the Princes Ambassadors were not yet arrived; and that in case the Legates thought they could not defer it, yet they should at least propose only General Things.
3. That in the List which the Fathers proposed to make, they should not insert the Confession of Augsburg, that they might not offend nor alienate the Minds of the Protestants.
4. That they should keep the Decrees, which they were to publish next Session, very secret; that so they might not be seen till after they were published.

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5. That a safe Conduct should be granted to the Protestants, as ample as they could wish for.

At the End of this Memorial, the Ambassadors took notice that the Emperor ordered them to wait upon the Legates, on all Occasions, and to assist them with their Counsels in every thing they could.

The Legates replied to the Ambassadors, That in few Days they should have an Answer to their Memorial; and immediately they sent away an Express to the Pope, to know what Answer they should give to these Demands. When they had receiv'd it, they acquainted the Ambassadors that they were ready to give them an Audience upon their Memorial. Upon the 17th, the Ambassadors had an Audience of the Legates, who gave this Answer to the first Proposition, that the Council would not use the Word Continuation, as his Imperial Majesty desired.

To the 2d, That it was impossible for them not to hold the next Session on the Day that was set; but they would so order it, that nothing should pass which should alarm Mens Minds; and that they would put off the next Session as long as they could.

To the 3d, that they never thought of censuring the Confession of Augsburg, in the present Conjunction; and that they would pass their Words, that the List of prohibited Books should not be published till the End of the Council.

To the 4th, That they would certainly enjoin the Fathers of the Council to be very secret in all that should be proposed in the Congregations; and not to speak of the Decrees which should be framed there, till they were published in the Sessions.

To the 5th, That they intended to give as ample a safe Conduct as could be desired. They added also, that they were very much obliged to the Emperor, for ordering his Ambassadors to assist them; and that they should receive their good Offices with Pleasure.

Feb. 24. the Bishop of Five Churches presented his Letters of Credence, and the Powers which he had received lately, in as ample a Form as could be wished for: And he made a long Discourse in Commendation of the Emperor; comparing him to Constantine for his Zeal towards the Church, and saying, That God had set him up to remedy the Miseries of that Age. Then he set forth all the Pains which the Emperor had been at to call this Council: He rested mightily upon his Master's having been the first Christian Prince that had sent Ambassadors to the Council; and ended his Harangue with thanking the Fathers of the Council for giving him a Place among the Ambassadors upon a bare Letter, before he had received his Powers and Letters of Credence in Form.

Then the Decree was read, which was to be published next Session. The Committee had drawn it up in general Terms, both to content the Germans, and because Matters were not yet well digested. This Congregation was closed with a grave and modest Speech of the Cardinal of Mantua, recommending Secrecy to the Fathers, lest their Business should be crost when it came to be known; adding, That tho' there were nothing to be feared, yet their Deliberations would have the greater Weight, when they were not publicly known; whereas a Publication made before the Time, often turns to the Dishonour of the Assembly; because there are always some Persons who want that Circumspection which is requisite, or that do not always observe the Decency that is necessary: That there is no Council or Assembly, Ecclesiastical or Secular, Great or Small, which has not its own Secrets, and which does not oblige Men to keep them by Oaths or Penalties: That the Council was made up of such prudent Men, that they needed no other Tye but their own Judgments: That his Discourse was not directed to the Prelates, more than to his Colleagues, or to himself; every Man being particularly obliged to apply it to himself. Thence he went on to the Difficulties concerning

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bassadors.

the safe Conduct; desired the Fathers to consider of it; and concluded, that since this Point could not be determined before the Session, it should be inserted in the Decree, that this safe Conduct might be granted in a Congregation.

The Legates had agreed upon this Expedient amongst themselves, because of the Difficulties which the *Spanish* Bishops started; concerning which, they had written to the Pope, who was of opinion, that the Reason of their acting in this manner, was not so much the Right which the safe Conduct took away from the Inquisition, of prosecuting those that were suspected of false Doctrine, since in other Questions proposed by the Legates, especially those which related to the Authority of the holy See, they still had something contrary to propose; as the Discontent which they had, that his Holiness had granted to their King a Permission to take up the Sum of 400000 Crowns upon their Revenues, for ten Years successively, and to sell their Church-treasure as far as would raise 30000 Crowns; which they thought to be a considerable lessening of their Estates: His Holiness therefore, from that time, thought upon Ways how to give the King of *Spain* all the Satisfaction which he could desire, so to engage him to make the Bishops of his Kingdom more tractable, and less inflexible and difficult.

Feb. 26. 1562. the eighteenth Session of the Council, being the second under *Pius IV.* was held. Mass was sung by *Antonius Helius*, Patriarch of *Jerusalem*; and *Antonius Cocus*, Archbishop of *Corfu*, preach'd the Sermon. The Session was begun with reading the Letters of Credence and the Powers of the Ambassadors. When the King of *Hungary's* Ambassador presented his Letters to the Secretary of the Council to be read, the *Portuguese* Ambassador stood up to offer his, pretending that they ought to be read before the King of *Hungary's* Ambassador's; because otherwise the King or *Portugal's* Pre-eminence would be prejudiced. The Secretary endeavoured to make him understand, that it was the Custom to read the Letters of those Ambassadors first, who came first to the Council; and yet that this Order was no Prejudice to the Rights and Prerogatives of Princes. But this Ambassador, who understood neither *Italian* nor *Latin*, was hereupon in a great Rage, not comprehending what the Secretary said. The Legates desired *Pompeo Zambeccari*, Bishop of *Sulmo*, who had been Nuncio in *Portugal*, and *Gaspar Casal* Bishop of *Leiria*, to speak to him, and to make him hear Reason; which they did, and agreed with him that the King of *Hungary's* Ambassador's Letters of Credence should be read before his own; but that before the Secretary read them, he should publicly declare, that he did not read the King of *Hungary's* Ambassador's Letters of Credence first, upon any other account, but because according to Custom he came first to *Trent*, and not to give that Ambassador any Pre-eminence over the King of *Portugal's* Ambassador, to whom it of right belong'd.

When this Dispute was ended, and the other Ministers Powers were read, they read a Breve of the Pope's, which gave the Council Power to draw up a Catalogue of prohibited Books; and then the Patriarch of *Jerusalem* read the Decree of the Council concerning the Catalogue of prohibited Books, and to invite the Protestants to come to the Council, with the Offers of a safe Conduct in these Words:

The holy, œcumenical, and general Council of *Trent*, lawfully assembled under the Guidance of the Holy Spirit, the Legates of the holy See presiding there, not putting their Confidence in human Strength, but in the Succour and Assistance of our Lord Jesus Christ, who has promised to give his Word and Wisdom to his Church, principally designs at last to re-establish the Doctrine of the Catholick Faith in its Purity and Lustre, which has been darkned and corrupted in several Places by great numbers of Opinions different in

themselves; and to reduce the Manners of Christians to a most exact Discipline, which are gone astray from the Purity of the ancient Rules, and to reunite Fathers to their Children, and Children to their Fathers. Having therefore in the first place observed that at this time the number of suspected and dangerous Books is extraordinarily multiplied, and that by this means the false Doctrine, with which they abound, is spread on every side, (which has given occasion to divers Censures, which have been published out of a good Zeal in different Provinces, and particularly in the City of *Rome*, though no Remedy has thereby accrued to so great and so pernicious an Evil) the Holy Council resolves that the Fathers, who are chosen to make this Examination, shall carefully consider what shall be proper to be done concerning Books and Censures, and make their Report at their own time to the Council, that so it may afterwards more easily separate strange and new Doctrines, like Tares, from the Wheat of Christian Truth; and that they may more conveniently deliberate and ordain what shall seem to be most proper, to take away from the Minds of many, divers Scruples and various Causes of Complaint. And for as much as it desires, that all these things may come to the Knowledge of the whole World, it thought it convenient to give them notice of it by this present Decree; that so, if any Man thinks there is any thing which relates to himself, which ought to be treated of in this Matter, or in any other thing, of which notice has been given, that it will be handled in this Council; he need not question but he shall be favourably heard. And because this Holy Council has nothing more at Heart, and desires nothing more earnestly from God than the Peace and Reunion of the Church; that so all Men owning their common Mother upon Earth, who for her Part cannot forget those whom she brought forth, we may with the same Mouth, and the same Heart, glorify God, the Father of our Lord Jesus Christ; it invites and exhorts by the Bowels of the Mercies of the same God, and our same Lord, all those who are not of our Communion, to Concord and Reconciliation, and to come to this Holy Council with a Spirit of Charity, which is the Bond of Perfectness, and with a Disposition to the Peace of Jesus Christ; to which they have been called, that so they may make but one Body, which will give their Hearts a real Joy. Let them therefore not harden their Hearts when they hear this Voice, which is not the Voice of Men, but of the Holy Ghost; and instead of walking according to their own Sense, pleasing of themselves, let them be moved by this so charitable and wholesome Advertisement of their Mother, and be converted; and the Holy Council will receive and embrace them with the same Testimonies of Affection and Charity with which it invites them.

The Holy Council also ordains, that a safe Conduct shall be granted in a general Congregation, and that it shall have the same Force and Authority, as if it had been granted and given in a publick Session.

The same Holy Council also resolves, that the next Session shall be held and celebrated upon *Thursday* after the Feast of the Ascension of our Lord, which shall be *May 14.*

Now, since this Decree ran in the Name of the holy œcumenical, and General Council, lawfully assembled under the Guidance of the Holy Spirit; the Archbishop of *Granada* desired, to no purpose, that these Words might be added, *Representing the Universal Church*, as it had been practised in late Councils. *Gilbert de Noguera*, Bishop of *Alisa* in *Terra di Lavoro*, did not like these Words in the Decree, *That the Catholick Doctrine was corrupted by great numbers of different Opinions.*

The History of the Council of Trent. Most of the Spanish and Portuguese Bishops demanded, that since the Legates thought it convenient to put off the next Session to so long a time, at least they might declare in the Decree the Subject upon which the Fathers were to busy themselves during that time, that so they might not be reproached with leading an easy and idle Life at Trent, and some desired that the Subject might be Reformation of Manners.

John Beroaldus, Bishop of St. Agatha, presented a Memorial, in which he petitioned the Fathers to attend to the Condition the Catholics were in, with the evil Disposition of the Protestants; and that so distant a Term as this that was appointed for the next Session, could only be of Advantage to the latter, and must be very prejudicial to the former.

The Legates took no notice of these Remonstrances, but rose up from their Seats, and so the Assembly broke up.

Difficulties about wording the Safe Conduct. In the beginning of January, the Legates sent to the Cardinal of Ferrara, Legate in France, a Draught of a safe Conduct, which had been proposed in the Congregations to be given to the Protestants. As soon as that Cardinal had received it, he sent it to the Queen, not being able to carry it himself, because he was sick in Bed of the Gout. Some Days after, her Majesty made a Visit to that Cardinal, and told him, that she had shew'd the Draught of the safe Conduct to some Persons, who had made some Exceptions to those Words, *modo redeant ad cor*, pretending that they were meant only of those who intended to come to the Council with a formed Design of owning it, by casting themselves into the Bosom of the Catholic Church; and consequently, that there was no Security for those who might go to Trent to dispute, and to give a Reason for their Opinions. The Cardinal replied to the Queen, that he had Power to assure the Protestants of her Kingdom of the good Intentions of the Pope, who designed that the Council should be free; and that the Offers which he had made to those who were willing to come to Repentance, did not exclude those who would go back again without being penitent or contrite. The Queen told the Cardinal of Ferrara, that these Assurances would never take away from the Protestants the Apprehensions which they might have, because they particularly desired a *Non obstante* to the Decree of the Council of Constance, which set forth, that ecclesiastical Judges may proceed against Hereticks, who should come to the Council under the safe Conduct of a secular Prince. By this Answer of the Queen's, Cardinal d'Este plainly perceived, that such a safe Conduct, as they had sent him a Draught of, would be very useless; and therefore he wrote to the Pope, that it was his Opinion, that an ample safe Conduct should be granted to the Protestants, which would give them a full Liberty to return, *etiamsi non redeant ad cor*; if it were only to make their evil Intentions manifest, when after such Security as was offer'd to them, they would not come to the Council to own that they had taught false Doctrine.

The Pope having reflected upon this Advice of Cardinal d'Este, sent to Trent to bid them leave the Words *modo redeant ad cor* out of the safe Conduct; and he thought they ought to follow the Form of the safe Conduct granted to the Germans in 1552. because of the Success which it had, since great numbers of Protestants went that Year to Trent.

Safe Conduct drawn up. The Legates held Congregations, March 2d. and 3d. to consider whether they should publish a general Amnesty, and grant a safe Conduct; and what ought to be the Form of both. After long Debates it was agreed, upon the 4th. that the Invitation to Repentance should be omitted as the Pope desired; that they should only transcribe the safe Conduct, which was given to the Germans under Julius III. and should add at last, that the Council granted a like safe Conduct under the same Form and the same

Terms, that it was granted to the Germans, to Men of all Nations, Provinces, Cities and Places whatsoever, who did not live in the Belief of the Church of Rome. This safe Conduct, thus drawn up, was publish'd March 8. at Trent, and set up upon the Doors of the Cathedral Churches. At the same time the Legates sent Copies of it to all Courts, and particularly one to the Cardinal of Ferrara, with two Letters along with it; one to be shew'd to the King, to desire him to give leave that the safe Conduct might be printed, and sent to all the Provinces of his Kingdom; and the other to be kept secret. In this latter they took notice that France was not mention'd in the safe Conduct, that the French might not be offended, since it would have implied, that their Country was infected with Heresy, and served for a safe Retreat to Hereticks.

Articles of Reformation proposed to be considered. March 11. there was a Congregation held, in which, before the Articles were proposed which were to be discussed in subsequent Congregations, the Cardinal of Mantua made a very eloquent Speech to exhort the Fathers to labour jointly with him and his Colleague, after perfect Union and Concord in the Re-establishment of ecclesiastical Discipline. Then he caused the twelve following Articles to be read, on which they were to give their Opinions in the Congregations. The first of which was, to see what could be done to oblige Archbishops, Bishops, and Parish-Priests, to Residence, and to hinder them from leaving their Churches, unless it should be for just and honourable Causes, and such as are necessary and useful for the Catholic Church. The second was, whether it was convenient to determine that no Man should be put into Orders without having a Title to some Benefice; that so they might remedy several Abuses which arose from conferring Orders to those that had only temporal Estates. The third was, that nothing should be paid to Bishops, or their Officers, for conferring of Orders. The fourth was, whether Bishops should have a Power of converting some Prebends into Distributions, in favour of such Churches as had not wherewithal to make daily Distributions, or where the Distributions were so small that they were not minded? The fifth was, whether great Parishes, where there was want of Priests, ought not to have more Titles? The sixth, whether small Cures, which had not a sufficient Revenue to maintain a Curate, ought not to be united to one another? The seventh, whether ignorant or vicious Parish-Priests ought not to have Coadjutors or Vicars appointed over them, who might enjoy part of the Revenue of their Benefices? The eighth, whether a Power should be granted to Ordinaries to reunite ruin'd Chappels to their Mother Churches, when they could not be rebuilt for want of a Fund? The ninth, whether Ordinaries should not be suffered to visit those Benefices which were fallen from being regular to be held in *Commendam*? The tenth, whether all clandestine Marriages, made for the future, should be declared null? The eleventh, what Conditions were requisite to make a Marriage not clandestine, and to oblige it to be made in the Face of the Church? The twelfth, what Remedy could be applied to those great Abuses which arose from Pardoners?

Besides these, the Divines were order'd to examine, that they might be kept employ'd, whether, according to the Declaration of P. Evaristus and the Council of Lateran, when clandestine Marriages are valid neither in *fore exteriori*, nor in the Church, the Council may declare them to be absolutely null, so that secret Celebration may henceforward be reckon'd among the Impediments which dissolve a Marriage? This Article was to be debated in a particular Congregation, held on purpose. About that time it was discover'd, that the Protestants of Germany were treating about a League, and raising some Troops: Whereupon the Emperor wrote to the Pope, and to Trent, to supersede the Council, till they

should see to what this Design tended; and the Fathers accordingly pass all the rest of this Month in Ceremonies and Devotion, especially now *Easter* was coming on.

Accordingly, during all that time, they only held Congregations to receive such Ambassadors as were newly come to *Trent*. In that of *March 19.* they receiv'd *Francis Ferdinand d' Avalos*, Marquis of *Pesqara*, Governor of *Milan*, the King of *Spain's* Ambassador, who presented his Letters of Credence and his Powers; in which his Catholick Majesty set forth, That he sent his Ambassador to *Trent* to assist at the Continuation of the Council. These Words displeased the Emperor's Ambassadors extremely. *Galazzo Brugora*, a Senator of *Milan*, afterwards made a Speech in the Ambassador's Name, in which he shew'd, That Councils having always been the only Remedy to the Evils of *Chriftendom*, *Pius IV.* had great reason to call this at *Trent*. That King *Philip* would willingly have assisted here in Person, to have given an Example to other Princes: But since the Multitude of his Affairs would not allow it, he sent *Don Francis d' Avalos* in his Place, to do there all that his Majesty could have done in favour of the Prelates. The Promoter of the Council answered, That the Zeal and Piety of so great a King encreased the Hopes of the Fathers, that the Evils of *Chriftendom* might be cured: That they received his Majesty's Offers with all possible Acknowledgments; and that for their Parts they would willingly do all they could for his Glory and Satisfaction.

In the Congregation of *March 18.* *John Strozzi*, Ambassador of *Cosimo I.* Duke of *Florence* and *Sienna*, presented his Powers, and made a Speech, in which he spake of the strict Alliance between his Master and the Pope, and conjured the Fathers to purge the Church, and to explain the Truth which was taught by the Apostles; offering them all manner of Assistance from the Duke his Master, towards the Support of the Majesty of the Holy See. The Promoter answered him with Thanks, and gave a Character of the Duke, touching by the by upon the Honour which his Family had of giving two great Popes to the Church, *Leo X.* and *Clement VII.*

In the Congregation of the 20th. *Melchior Lusi*, Ambassador from the Catholick Cantons of *Switzerland*, and Abbot *Joachim*, Proctor of the Clergy of that Nation, who took the Title, in his Powers, of *Most reverend and illustrious Prince, my Lord Joachim, Abbot of the Hermites in Switzerland*, were received. Father *Adamantus*, an *Augustinian* Monk, made a Speech in their Names, in which he set forth, That the Cantons of the seven Cantons, that they might acquit themselves of the filial Duty towards the Church, were willing to send these two Persons to assist the Council in their Names, and to promise all Obedience to the Fathers; who ought to be fully satisfied thereby, that these Cantons yielded to no other State in their Zeal and Fidelity towards the Holy See; as they had shown in the time of *Julius II.* and *Leo X.* and especially in the War which they had with their neighbouring Cantons upon the account of Religion, when they not only killed *Zuinglius*, that mortal Enemy to the Church, but also ignominiously burnt his Body, to let his Followers know thereby, that they would never be reconciled to them as long as they were out of the Church: That their Cantons seem'd to have been placed on the Borders of *Italy*, only to be a Bulwark to it, and to hinder the *Northern* Heresy from spreading into the Bosom of that Country. The Promoter replied, That the *Swiss* Nation had ever given illustrious Marks of its Piety and Respect

towards the Holy See; but that of all its Services, it never did one that was more seasonable or more useful than this present Embassy: That the Council rejoiced mightily at their coming, and did not reckon less upon the Offers of their Nation, than upon those of the Emperor, and the other Kings.

After this Answer, *Melchior Lusi*, who had express Orders from his Superiors to take Place immediately after the *Venetian* Ambassador, and to precede all those who gave place to the Republick of *Venice*, went to take his Place. *Strozzi*, the Duke of *Florence's* Ambassador opposed it. The *Swiss* Ambassador protested, That if he had not Satisfaction, he would be gone. The Legates hereupon broke up the Congregation, being exceedingly perplex'd, because there was no Accommodation to be looked for; and that if they declared on either side, it would be a very great Prejudice to the Council, and an irreparable Damage to Religion. That consequently they could not be Judges in an Affair of this nature; and if they were, yet they could not decide it without offending both Parties irreconcilably. To free themselves therefore from this Uneasiness, they desired the Pope to prevail with the Duke of *Florence* not to dispute this Matter, but to sacrifice his own Interest to the Good and Quiet of *Chriftendom*. The Duke did so, and ordered his Ambassador to find some Pretence that might oblige him to go into the Country, whensoever he understood that the *Swiss* Ambassador would be at the Congregations or Sessions.

At that time his most Christian Majesty nominated for his Ambassadors at *Trent*, together with *Monfieur de S. Gelais de Lansac*, (who had been named ever since *February 27.*) *Arnaud de Ferriere*, President of the *Inquests* (k), and *Guy du Faur*, *Sieur de Pibrac*, Judge-Major of *Thoulouse* (l). *Monfieur de Ferriere* was originally of *Thoulouse*, where he studied the Law for several Years; thence he went to *Padua* to perfect himself in that Study. At his return from *Italy* he profess'd the Law at *Thoulouse*, where he was soon after made Counsellor in the Parliament, and was taken from thence to be President of the *Inquests*. Upon *Henry II's* Death he was sent Ambassador to *Rome*. The Pope and Bishops who were uneasy at the Liberty with which he talked at *Trent*, solicited the King to recal him. To satisfy them, he was sent to *Venice*, where he did the Duty of an Ambassador. He was at so great Expence to maintain his Dignity there, that when he saw *France* was exhausted with their Wars on the account of Religion, and not in a Condition to make him amends, he retired to the Court of the King of *Navarre*, who afterwards becoming King of *France*, made him Master of Requests; and soon after would have made him Keeper of the Great Seal, being satisfied with his Merit, and the Reputation which his Learning had procured him. But he preferring a quiet Life to the greatest Employments, thank'd his Majesty, and retir'd. He did not long enjoy the Pleasures of his Retirement; for he died two Years after, being but fifty Years old.

The *Sieur de Pibrac* was also of *Thoulouse*, the Son of *Peter du Faur*, President à *Mortier* (m). He studied at first at *Paris*, and then went to *Padua* to study the Law. At his return he got so great a Reputation at the Bar of the Parliament of *Thoulouse*, that he was made first Counsellor, then Judge-Major of that City. When he came back from *Trent*, the King made him Advocate-General of the Parliament at *Paris*, at the Desire of the Chancellor de *Hospital*. When the Duke of *Anjou* was chosen King of *Poland*, *Charles IX.* desired *Monfieur de Pibrac* to go along with him in that Voyage, where

[(k) In the Parliaments of *France* there are several Chambers as they call them, (we should call them Boards) wherein *Inquests* are made in all Causes before they are brought, in order to a final Sentence, to the Grand Chamber; and the President in those Chambers is called President of the *Inquests*]

[(l) In *French*, *Juge-Mage*; I suppose that may be a particular Name for a Principal, Civil, or Criminal Magistrate (for I cannot

tell which) in *Thoulouse*. In the Catalogue at the end of the Decrees of the Council of *Trent*, he is called *Judex-Major*.]

[(m) The principal Presidents of the Parliaments in *France* are called Presidents, an *Mortier* from a black Velvet Cap, bordered with Gold Galoon, which they carry in their Hands upon solemn Occasions. The *Mortier* or Cap of the first President is bound with a double Galoon, the rest have only a single Galoon.]

he did that Prince great Service, and charm'd the Poles with his Eloquence. But when the King understood that Charles IX. his Brother, was dead, he left Poland, and Monsieur de Pibrac behind at Cracow, exposed to the Fury of the Poles, who were resolved to revenge the Flight of their King upon the Persons of the Frenchmen of his Retinue, and not to spare the Man whom they looked upon as the Author of that Advice, so bold in its self, and so well executed. It was on this Occasion that Monsieur de Pibrac found himself obliged to display all his Eloquence to save his Liberty and his Life: And it was so prevailing, that it disarmed the Fury of the Poles, who gave him leave to retire into France, where the King received him with Joy, and made him *President à Mortier*. The Queen of Navarre, and the Duke of Anjou, chose him to be their Chancellor. He died at Paris fifty six Years of Age, and was buried at the Great Augustins, where his Epitaph is still to be seen.

April 2. the King gave the *Sieur de Lansac* his Instructions, setting forth, That as soon as the Ambassadors should be arrived at Trent, they should in the first Place demand and require a Decree to be made, declaring, That the Council now assembled was not a Continuation of that formerly held at Trent, but a new one: That if the Fathers should declare that it was determined already, or should say that they would consider of it; the Ambassadors should, before they could come to make a Declaration that this Council was only a Continuation of the former, say, That they had an express Order from the King their Master, not to allow of any Debate concerning it, and not to be present any more at the Congregations, till they understood from his Majesty what his Intentions were concerning it.

Secondly, That his Majesty's Ambassadors should represent, That considering Trent is a suspected Place, not only to the Germans, but to several others, it would be for the Advantage of the Church, that the Council were removed to another Place: That therefore his Majesty is willing to have it removed to *Constance*, *Worms*, or *Spires*, or to some other free and easy Place, which all Parties should approve of: That these two Points being granted, they should demand a safe Conduct for all the Protestants to go to Trent, and there set forth their Doctrine, and assert it with all Freedom, and without having any harm done to them, either in going or coming back, though they should not submit to the Orders of the Council.

Thirdly, That the Bishops may give their Votes, and declare their Opinions with all Freedom, according to their Consciences; and that the Determination of their Resolutions be not left to the good Pleasure of his Holiness and his Legates.

Fourthly, That the Decrees of the Council shall likewise not be remitted to the Pope's good Pleasure, but on the contrary, a Declaration shall be made, That he cannot alter, diminish or change them, nor dispense with them in any manner whatsoever; and that pursuant to the Dispositions of the ancient Councils, and particularly those of *Constance* and *Basil*, he shall be obliged to pay an entire Submission and Obedience unto them.

Fifthly, That in Matters of Reformation, the Fathers of the Council shall conform themselves to the Discipline of the Primitive Church, that so the Ecclesiastical State may be reduced, as near as possible, to the Purity in which it was put in first.

Sixthly, That the Pope shall not at all concern himself with Elections or Provisions of Bishops, Abbots, other Prelates and Parish-Priests; nor with their Administration, unless in case of negligence, according to the Decrees of holy Councils, and the ancient Rights and Liberties of the Gallican Church.

Seventhly, That the Pope shall for the future

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grant no Dispensations, for any Cause whatsoever, against the Decrees of the Councils.

Eighthly, That all Dispatches depending upon the Popes Authority, shall, according to the Canons, be granted *Gratis*; and consequently all Annats, and all other Taxes and pecuniary Constitutions shall be taken away.

Ninthly, That Archbishops, Bishops and other Beneficiaries, shall be obliged to Residence, and shall not be dispensed with upon any Cause whatsoever.

Tenthly, That the Pope shall send no more Legates with Faculties to nominate to Benefices.

Eleventhly, That those who for the future shall be nominated to Archbishopricks or Bishopricks, shall have the Age and Qualifications which the Canons require, and shall be consecrated according to the Order established by the Rules of the Church.

Twelfthly, That the Council shall take care that there be no more Recourse to Rome, to obtain Dispensations for Marriages in the second, third and fourth Degrees of Consanguinity and Affinity, and for Celebration of Marriage out of the times allow'd by the Church, especially when no Dispensation is refused to those that bring Money.

Thirteenthly, That no Stranger shall for the future hold any Benefice that shall be resigned to him, if he does not first understand the Language, That he may instruct and teach the People, and if he does not actually reside; and that all Provisions which shall be given to the Prejudice of this Regulation, shall be null; and that the Pope shall not dispense with them for any Cause whatsoever.

Fourteenthly, That no Pensions shall be reserved out of Benefices which shall be resigned, nor out of Benefices, over which a Right is pretended.

Fifteenthly, That all Mandates, Reservations and Regresses shall be taken away, as well in the Countries under Obedience, as in the rest.

Sixteenthly, That no Man shall go to Rome, for either beneficiary Causes or others, out of *Provence*, *Britanny*, or other Places of this Kingdom.

Seventeenthly, That no Man shall be admitted to Orders, or to the Offices of the Church, by any Man besides his own Bishop, or without his express Leave; and that the Pope shall issue forth no Dispensations or Letters derogatory hereunto.

Eighteenthly, That the sixth Canon of the Council of *Chalcedon* shall be strictly observed by Bishops in the Promotion of Presbyters, that so they may obviate those Abuses which arise from great Numbers of those who go into Priests Orders without a lawful Approbation, and without being destined to a certain Function. Besides, That the Ambassadors shall hinder any things being done in the Council to the prejudice of the King's Rights, or of the Privileges and Liberties of the Gallican Church; and that if they see that any thing is designed to be done in prejudice to any of them, they shall protest, and at the same time give his Majesty an Account.

Their Instructions likewise set forth, That since the Emperor had declared to his most Christian Majesty's Ambassador, that he particularly desired that his Ambassadors at Trent might communicate and confer with those of France, in order to procure, by joint Consent, a good Reformation of Discipline and Manners, which is the first Fruit that ought to be expected from the Council; they should act in concert with them. That the Bishops of France should not obstinately adhere to the retaining of those things which are only of positive Right, and which may be taken away or changed without hurting the Conscience; thereby to facilitate the means of re-uniting themselves to those who were separated from the Church. That the Ambassadors should prevent any Man's being censured or condemned with too much precipitation; and that they

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they should demand, that all Censures and Condemnations be remitted to the end of the Council, when every thing shall have been well examined and weighed. That if it should be proposed in Council to make a League, and to proceed by force of Arms against those Potentates and Princes, who would not obey and observe the Laws of the Council, the Ambassadors should oppose it, and remonstrate that those are not the Ways which the Church ought to use, by shewing the Danger which Religion is exposed to thereby. That if the Fathers of the Council should ask the Ambassadors, whether his most Christian Majesty does not at least intend to constrain his Subjects by force to continue firm to the Doctrine of the Church? They shall answer, that his Majesty does with Grief find himself to be of too weak an Age to endeavour, without putting his Crown and State in danger, to remove by force that Diversity of Opinions concerning Religion, which for so many Years has been imprest upon the Minds of his Subjects; and that it is his Majesty's Intention, that the Prelates of his Kingdom shall by Preaching, by good Example, and by the Reformation which the Council shall make, bring back insensibly those that are gone astray. Lastly, for as much as the Catholick King's Ambassadors have in some Places pretended to precede the Ambassadors of his most Christian Majesty, the King wills and commands his Ambassadors to take place of the King of Spain's Ministers in every Place: And in case this Matter become once to be debated in the Council, he requires them to depart immediately, and to command the Bishops of his Kingdom to follow them, after having protested and declared, that his Majesty and his Kingdom do not intend to approve of the Council.

Dudithius Deputy from the Clergy of Hungary.

Life of Dudithius.

April 6. there was a Congregation, in which *Audreas Dudithius Sbardellatus*, Bishop of *Knin* in *Croatia*; and *John Coloswarin*, Bishop of *Chonad* in *Transylvania*; Deputies from the Clergy of *Hungary*, were received. *Dudithius*, who was one of the most learned and eloquent Men of the Age, made a Speech. He was of an illustrious Family in *Hungary*; his Father, who was kill'd in a Battel against the *Turks*, left him very young; his Uncle by the Mother, Bishop of *Vatzen*, and afterwards Archbishop of *Gran*, took care of him, and sent him to the University of *Breslaw* to study. That City being soon after expolled to the Enemies Fury, *Dudithius* went into *Italy* to continue his Humanity Studies. *Paul Manurinus*, was so charmed with the Genius of this young Man, and with the Application which he shew'd to Learning, that he took a very particular Care of him; and he speaks of him in several of his Letters, as of one of the greatest Wits of his Age. When *Dudithius* had gone thro' his Humanity-Course in *Italy*, he past into *France*, and studied Philosophy at *Paris*, under the famous *Vicomercatus*; after that, he wholly gave up himself to the *Greek* Tongue, under Doctor *Angelus Caninius*, and learn'd *Hebrew* under *Mercer*. Afterwards he returned into *Hungary*, where his Relations advised him to study Philosophy; for which Reason he took a second Voyage into *Italy*, and went thro' a Course at *Padua*, under *Guido Pancirollus*. When Cardinal *Pool* was sent into *England* in Quality of Legate, when *Mary* succeeded her Brother, he put himself into his Train, and took a Journey into *England* with that Legate, where he acquired the Esteem of the Queen and her Sister *Elizabeth*. At his Return into *Hungary*, he was made Canon of *Gran*, and Provost of *Oberbaden*. The Friendship which he contracted with the illustrious Men of *Italy*, engaged him to take a third Journey thither. During his Stay there, he publish'd his Judgment upon the Histories of *Herodotus* and *Thucydides*,

which is exceedingly commended. The same Reason made him go into *France*; and in his way thither, he waited upon the Duke of *Florence*, who obliged him to see *Catherine de Medicis*, who was surprized with the Beauty of the Compliment which *Dudithius* made her, and yet more to see a *Hungarian* speak *Italian* so well, and with so much Ease. Afterwards he went to the Court of *Vienna*, where the Emperor gave him in 1562. the Bishoprick of *Knin*, and he was nominated to go Ambassador from the Clergy of *Hungary* to the Council of *Trent*. The too great Liberty with which he spake, in favour of the Cup and the Marriage of the Clergy, made the Legates apprehensive, lest with the Force of his Eloquence, and the Beauty of his Expressions, he should draw after him into his Opinions a great number of Prelates. They sent word therefore to the Pope, that *Dudithius* was a dangerous Man, and that it was necessary he should go away from *Trent*. Accordingly the Pope solicited the Emperor to recall him; which he did. At his Return to the Court of *Vienna*, he was made Bishop of *Chonad* (n). The Emperor sent him as his Ambassador into *Poland*, to King *Sigismund*; and when he came back he was made Bishop of *Five Churshes*. The Emperor *Maximilian II.* who succeeded his Father *Ferdinand*, sent him a second time (o) into *Poland*, as his Ambassador to King *Sigismund*. In this last Voyage it was that he conceived a violent Passion for a Maid of Honour of the Queens, of the Family of *Strazzi*, whom he married some time afterwards, and laid down his Bishoprick. Then it was that he began an unhappy Correspondence by Letters with *Beza*. The Emperor *Maximilian* was sensibly touched at his Apostacy; but having at the bottom a particular Good-will and Esteem for him, he could not bring himself to abandon him; accordingly he gave him a Pension, and that he might be shelter'd from the Menaces of the Court of *Rome*, he made him his perpetual Resident in *Poland*; where *Dudithius*, out of Gratitude, did all that ever he could to set the Crown of *Poland*, after *Sigismund's* Death, upon *Maximilian's* Head. He tried the same thing again after *Henry III's* Retreat. He had then taken his Measures so well, that he might have flatter'd himself with Success, had not *Stephen Battori*, Prince of *Transylvania*, come of a sudden into *Poland* with a mighty Army, and got himself chosen. This obliged *Dudithius* to leave that Country, and to retire to the Emperor's Court, who sent him to the Diet of *Ratisbonne*. When *Maximilian* was dead, *Dudithius* sought only for a Retirement: Then he settled at *Breslaw*, where he profess'd himself a *Socinian*, the Poison of which Doctrine he had suck'd in during his long Stay in *Poland*. He died February 23. 1589. aged only 56 Years and 17 Days. He was buried in *St. Elizabeth's* Chappel at *Breslaw*.

In the Congregations which were held from April 7. to April 18. the four first Articles of the twelve, which were proposed by the Legates, were examined. The first, concerning Residence, employ'd the Fathers of the Council more than the rest.

The Patriarch of *Jerusalem*, who gave his Opinion first, took notice, that when this Article was examin'd in the first Meeting of the Council, they observ'd that Residence might be establish'd two ways; first, by laying Penalties upon those that should not reside; secondly, by removing all the Hindrances of Residence: As for the Penalties, in the ninth Session, a Deprivation of one Half of the Revenues was enacted; that a greater Penalty could not be imposed, unless they would reduce the Bishops to Beggary: That in case of Contumacy and Felony, they could not proceed with greater Rigor

[(n) *Thuanus* in his Account of *Dudithius* (ad an. 1589.) mentions only his being Bishop of *Knin* (*Tininia*) and *Five Churshes*. So likewise the printed List of the Prelates at the end of the Decrees of the Council of *Trent*. However, since his Partner *Coloswarin*, who was Bishop of *Chonad*, died at *Trent* whilst the Council sat, I cannot say our Author is mistaken.]

[(o) *Du Pin* says, pour la troisieme Fois en Pologne; but since he mention'd only one Journey before into *Poland*, I take it for granted it is an Erratum, as is 1579. at last for 1589. for *Dudithius* did not die till the Year 1589.]

against them, than to deprive them of their Bishopricks, the Execution of which belonged only to the Pope, to whom, according to the ancient Usage of the Church, the Cognizance of Episcopal Causes is reserved; and that in the same Session, the care of remedying of it is left to his Holiness, either by a new Ordinance, or some other way. As to the second way, which was the removing of the Hindrances to Residence, they had begun already with removing them, by taking away many Immunities and Exemptions, which hindered Bishops from performing their Functions; That they had now nothing more to do but to go on; and as they had done before, so now a Committee of Fathers ought to be appointed to draw up a Memorial of the Impediments to residence yet remaining, for the Congregation to examine.

Hereupon the Archbishop of *Granada* said, that if they would follow the Methods used in the Council under *Paul III.* they would find none more effectual than to declare, as they had then agreed to do, and as they had done, if the Council had not been interrupted, that Residence is of Divine Right: That this Argument was then not only slightly touched upon, but prepared and digested, and several Books publish'd about it: That if Residence were once declared to be of Divine Right, all Impediments would cease of themselves: That then the Bishops, knowing their Obligations, would lay their hands upon their Consciences, and would no longer look upon themselves as Hirelings, but as Shepherds who were answerable to God for the Flock with which they were entrusted: That they would do their Duty without resting upon Dispensations, which they knew could not serve as a lawful Excuse, and consequently could not save them. Lastly, he endeavoured to prove by Passages of Scripture, and the Authority of the Holy Fathers, that this was a Catholick Truth. This Opinion was follow'd by the Majority of the Congregation, and back'd by several other Reasons and Authorities by its Defenders. But still there were some Bishops who affirm'd, that this was a new Opinion, that Residence is of Divine Right: That Cardinal *Cajetan*, who first started it, quitted it afterwards; for when he was Bishop of *Cajeta*, and Archbishop of *Palermo*, he never resided: That the Church always believed, that the Pope can dispense with Residence: That those who did not reside, were only reprehended or punish'd as Violators of Canons, and never as Breakers of a Law of God: That this Question indeed had been debated under Pope *Paul III.* but then the Dispute was found to be so dangerous, that the Legates, who were Men of finish'd Prudence, were forc'd to break it off by Address: That this ought to be a Precedent now: That the Books since publish'd did little else but give Scandal to the World, where it was perceived, that this Dispute proceeded only from pure Faction: And as for the Authorities of Scripture and Fathers, they are, said they, only Exhortations to Perfection; and we can build upon nothing but Canons, which are the Laws of the Church.

Some said, this was neither a Time nor a Place for examining that Question; and that the Decision of it would not only do no good, but on the contrary would do a great deal of mischief: That Councils were called to extirpate Heresies, and not to cause a Schism among Catholics, as would certainly happen, if they should condemn an Opinion which was held by the Majority, at least by one half of the Divines: That this Opinion was not advanced as a Truth which Men were obliged to believe, but as a powerful Motive to residence; though with little Reason, since Men are not more careful of observing the Commandments of God, than those of the Church: The Fasting in *Lent* is better observed than the Ten Commandments: That if Confession, and Communicating at *Easter*, were of Divine Obligation, there would not for that Reason be more Communicants: That say-

ing *Mass* in a Priest's Habit, is only an Ecclesiastical Law, and yet it is never violated: That those who are not afraid of the Penalties appointed by the Canons, would offend yet oftener, if they were no longer afraid of Temporal Punishments, but only of Divine Justice; and that such a Determination would only serve to encourage Bishops to attempt against the Holy See, and against the Pope, as there had some secret Murmurs gone about already, which tended to the Diminution of the Court of *Rome*; and yet the Ecclesiastical Order was respected in other Places only upon its Account: That if its Splendor were once taken away from that Court, the Church would be every where less revered. And last of all, that it was not just to treat of a Matter of this Consequence without communicating it to his Holiness, and to the Sacred College, whom it more nearly concerned.

Paulus Jovius, Bishop of *Nocera*, said, the Council was certainly called together to cure a great Wound; namely, the Calamitous Condition of the Church, the Cause of which was attributed by all Men to the Absence of Bishops from their Diocesses; and yet though all Mankind talked after this manner, perhaps no Man made the proper Reflexions upon it which he ought: That he did not act like a good Physician, who was for taking away the Cause of a Distemper, without well knowing what it was first, or without considering whether if this Cause were removed, greater evils might not ensue: That if the Non-residence of Bishops were the true Cause of those Abuses, then we should see less Corruption in those Churches where Bishops have resided for these hundred Years last past: That the Popes have constantly resided at *Rome*, and have used all their Endeavours to cause the People there to be instructed; and yet we do not see that that City is better governed than others: That Capital Cities of Kingdoms, where Bishops constantly reside, are more corrupt than those miserable Cities which do not see their Bishop for an Age together; and that none of those ancient Prelates then present, that have constantly resided, can shew Diocesses in better order than those of their Neighbours who have never resided: That those who say such Churches are Flocks without Pastors, ought to consider that Curates have charge of Souls as well as Bishops, and yet none speaks of them, as if there could not be good Christians where there are no Bishops: That there are, among the Mountains, many who never saw a Bishop, and yet may give Examples to Episcopal Cities. 'We ought, said he, to commend and imitate the Zeal and Prudence of the Fathers of this Council, under *Paul III.* who enacted Penalties against Prelates, to oblige them to reside, and began with removing the Impediments that kept them from their Churches. Let us not flatter ourselves that Residence will produce a Reformation in the Church; we ought to fear lest our Hopes prove vain, and that whilst we are seeking after Ways and Means to enforce Residence, such Inconveniences may arise, that our Successors may be obliged to seek for Remedies by Absence: We ought not to use such Bonds as can't be broke, when we want it; and such the declaring Residence to be of Divine Right would be, if we should think of introducing it now at *MCCC* Years distance. Should a Bishop be Rebellious, he would use this as a Buckler against the Pope, when his Holiness should cite him to *Rome* to give an Account of his Actions there, or would remove him, in order to hinder his fomenting Mischief in his own Church, as we have seen in our Days, in the Case of *Herman de Weiden* Archbishop and Elector of *Cologne*. He added, that he believed that Prelates, who were of a contrary Opinion, acted out of a Pious Zeal; but he was also afraid, that some would willingly make use of this Means to withdraw themselves from the Obedience of the Pope, upon

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which the Unity of the Church depended: That however, he thought it his Duty to admonish them, that the Pains they now were taking would turn to the Advantage of the Curates, to encourage them to shake off the Episcopal Yoke; who, if this Question past, would not fail to say that Bishops could not deprive them of their Cures, nor restrain their Authority; and they would pretend, that being Pastors immediately appointed by God, the Flock belonged more to them than to their Bishop, and nothing could be said against it. And so the Church, which preserved it self by Subordination, would fall into a popular and anarchical Administration, which would infallibly destroy it.

John Baptista Bernardi, Bishop of *Adiazzo*, (a City in *Corfica*) laid, that since the Business was only the effectual establishing of Residence, and not one Opinion rather than another, they were only to take away the Causes of Absence, without making an useless Enquiry whence the Obligation to reside proceeded: That the Fountain of Non-residence was the Ambition of Bishops, who lived in Princes Courts, and meddled with Matters of Government so far as to be Judges, Chancellors, Privy-Counsellors, Secretaries of State, nay even Treasurers; (p) since there are scarce any Courts where Bishops have not some of these Employments, though it be forbidden by *St. Paul*, who says, *That a Soldier consecrated to God, meddles not with the Affairs of the World*: That this Divine Commandment would be observed, if Bishops were forbidden to possess or exercise any secular Employment: That then, as they would have no longer Business at Court, they would reside of themselves, without any Necessity of being obliged by Command or Penalty. Lastly, he prayed the Council to declare, that neither Bishops nor any other Pastors might lawfully execute secular Offices.

The Bishop of *Five Churches* made answer, That if *St. Paul's* Words were to be taken in that Sense which his Brother put upon them, then all the Bishops and Princes for these last DCCC. Years must be condemned, for that which they have always been commended for; these for giving, and the others for accepting of Temporal Jurisdictions: That even Popes and Bishops, who have held them, have been canonized: That the best Emperors and Kings have filled their Councils with Bishops, who consequently would be all damn'd, if *St. Paul* were to be rigorously interpreted: That those who restrained the Apostolical Prohibition only to Churchmen, were very much mistaken, since he spake to all the Faithful, who are the Soldiers of Jesus Christ; concluding, that as the Soldier of a Prince, gives not himself to Arts or Trades, by which the People gain their Livelihoods, because they are incompatible with a Military Life; so the Soldier of Jesus Christ, *i. e.* every Christian, ought to abstain from what is contrary to his Christian Profession, *i. e.* from all Sin; and thus every Man is allowed to do what he may do without Sin: That Bishops are not to be blamed for accepting these Employments, unless we say that it is a Sin to hold them: That the Grandeur and Reputation of the Church proceeds from Mens seeing Ecclesiastical Dignities held by Men of illustrious Birth, and the Offices of the State exercised by Bishops: Whereas, if these Employments were looked upon as incompatible with Benefices, no Gentleman would go into the Church; the Prelates would not be regarded; nor would Churchmen be distinguished from the Populacy: That the most able Doctors have always look'd upon those Ordinances as unjust, which exclude Ecclesiasticks from the civil Administration, and from those secular Charges which belong to them by the Right of their Birth. This Opinion was well received, even by those who held Residence to be of Divine Right.

[(p) *Financiers*, which is our Author's Word, and *Financieri*, which is *F. Paul's* Word, whom our Author here co-

Upon the second Article, namely, whether no Man ought to be put into Orders unless he has a Title to some Benefice, because of the Abuses arising from Patrimonial Titles; their Opinions were divided. Some said, if Residence were declared to be of Divine Right, and every Man did his own Duty, Churches would have no Need of Clerks without Benefices, nor of making Ordinations upon Patrimonial Titles: That all Abuses would cease: That there would be no more lazy, begging Priests; and consequently, that they should see no more of those scandalous Meaneffes, which Men must now be guilty of to get Bread: That no Reformation could be good, unless Things were brought to their Principles: That the Church could return only this way to that Perfection, in which it was preserved for so many Ages.

Others said, that Poverty ought not to shut the Gate to those, who by their good Life and Learning deserved to be admitted to Holy Orders: That the primitive Church never excluded the Poor, and never forbid Priests to get their Bread with the Labour of their Hands; Witness *St. Paul* and *Apollos*, who got it by making of Tents: That *Constantinus*, Son to *Constantine*, in his sixth Consulship, exempted the Clergy from paying any Duties for what they sold in their Shops, or made in their Work-Houses, because they gave Part to the Poor; so that *St. Paul's* Advice was observed at that Time, which recommends to the Faithful to apply themselves to some honest Labour, that they might have wherewithal to assist the Poor: That a licentious Life, which scandalizes the People, was undecent for Clergymen; but that it was honourable, and tended to Edification, to live upon their Labour: That if any Churchman, who should fall sick, and so be hindred getting his Bread, should be forced to beg, it were no more a Shame for him, than for so many of the Religious, who glory in being called *Mendicants*: That he does not talk like a Christian, who says, That it misbecomes the Ministers of Jesus Christ to live upon their Labour, and to ask an Alms, when they are no longer in a Condition to get a Livelihood, since nothing deserves Contempt in them but Vice: That those who say that Want drives Men to steal, and to commit many other Crimes, will find, if they consider well, that the Rich fall into the same Faults, and that Avarice is more greedy and more masterless than Poverty, which is for the most part laborious and diligent, and not at leisure to do Mischief: That the Qualities of Good and Poor agree well together, but those of Good and Lazy never do: That the militant and the suffering Church received great Consolation from the great Number of Masses which are said, and yet this Obligation does not lie upon the rich Clergy, but upon the Poor, without whom both the Living and the Dead would be deprived of so many Suffrages: That they had better make a Law on purpose, that Men of Capacity and good Manners should be admitted into Orders without any Title: That the Reason why Priests were formerly forbidden Ordination without a Title, is now at an End; because then beneficed Persons, applying themselves to the Functions of the Church, edified the People; and others being idle, gave Scandal; whereas now most beneficed Persons forsake the Ministry of the Church, and lead a voluptuous Life, whilst the Poor do their Duty, and edify the World by their Example.

Few Prelates entred into those Notions; but another Method was proposed, which was very well received; which was, to keep to the Custom already settled, of ordaining no Man without a Title to a Benefice or to a sufficient Estate, that there might be no more of those begging Priests, who dishonoured the Ecclesiastical Order. But then to avoid

pics, signifies *Treasurers*, as well as *Collectors of the Revenue*.]

being imposed upon, Bishops were to be ordered to take care that the Patrimony of Clerks might not be alienated.

This was opposed by *Gabriel le Veneur*, Bishop of *Evreux*, who said the Patrimony of the Clergy was a secular Fee, concerning which, the Church could make no Laws: That Occasions might often arise where the Magistrate had a Right to command an Alienation; besides, that all Mankind are agreed, that the Estates of Clergymen are subject to civil Laws in Matters of Prescriptions, and all other Forms of Contracts; and that they ought to consider well, before they took upon themselves to disannul civil Contracts.

Then they went to the third Article, concerning paying nothing to Bishops or their Officers for conferring of Orders. Here the rich Bishops and the poor ones were divided: The rich Bishops called all that the Bishops or their Officers received on that account, Simony and Sacrilege, alledging the Example of *Simon Magus*, of *Gebazi*, *Elisha's* Servant, that Precept of Jesus Christ, *Freely ye have received, freely give*, and all that the Fathers said against Simony; they added, that the Names of Alms and Free-Gifts were false Pretences, which were believed by their Effects, since that was given for Orders, which would not have been given without them: For, said they, if it is an Alms, why is it only done upon this occasion? Why is it not done at another Time? Why are not Orders conferred *gratis*, that so Alms may be afterwards done at Mens Pleasure? But the Mischiefs is, that if any Man should say to the Bishop who ordains him, it is only an Alms which he gives him, the Bishop would be offended, and perhaps would not receive it at another Time: We are not therefore to imagine we can deceive either God or Men. Lastly, they concluded, that an absolute Decree ought to be made, to prohibit the giving or receiving any thing, even by way of Alms, either to the Bishop or to any of his Officers, even to his Secretary, upon pretence of Writings, Seals, Labour, or upon any other account whatsoever.

The poor Bishops, and those who were only titular, replied, That as it is horrible Sacrilege to confer Orders for Money, so it destroys that Charity which is so much recommended by Jesus Christ, and does perfectly disfigure the Church, to take away the Liberty of giving Alms: That the same Reason which holds for Confessions, Masses, Burials, and other Ecclesiastical Functions, holds also for Ordinations: That there is no Cause why Christians should be forbidden to give voluntarily, nor to receive for these Functions, any more than for others; the Objection which is made, That since it is an Alms, it ought to be done at another Time, concluding equally to all other Ecclesiastical Administrations: That it is a very ancient Custom in the Church, to receive Alms upon these Occasions, without which, the poor Religious would be forced to seek out for some other Livelihood; and then the Rich not doing the Duty in Person, as has been seen sufficiently for these last 500 Years, the Exercise of Religion would be lost, and the People would fall into Impiety and Superstition. Lastly, that they could not conceive how any Man could find Fault with the Bishops receiving a small Acknowledgment for Ordinations; since the Pope himself takes, without any Man's being offended, Thousands of Crowns for the Pall, which he gives to Metropolitans. Why then, said they, shall different, nay contrary Laws be made for Things of the same Nature, and that be called an Abuse, which has been always what it is from its Original? The Pontifical says, that in Ordinations, those that take Orders, present Wax-Tapers to the Bishop that confers them, and yet these Tapers are temporal Things; and besides, they may be of a great Price, either upon account of their Bulk, or their Ornaments: Consequently then, this Evil ought not to be esteemed to be so great as it is made; and the Reputation of poor Bishops ought not,

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for that Reason, to be blasted, who built upon a Decree of *Innocent III's*, in which, not only the Custom of giving and receiving some Reward for the Administration of Sacraments, is approved; but Bishops are required to constrain the People by Censures and Ecclesiastical Punishments, to the Observation of that Custom which he calls laudable, tho' now they would make it pass for sacrilegious.

Dionysius, Bishop of *Milopotamo*, a *Franciscan*, by Birth a *Greek*, said, That the Sacraments ought to be administered to the Faithful *gratis*, for two Reasons: First, because they would thereby be more edified. Secondly, because the Tithes which they paid are a Salary more than sufficient, since the Clergy, who were not a tenth Part of the People, yet received a tenth Part of their Revenues, without reckoning their other Estates, which came to twice as much more: That if there were poor Bishops, it was not because the Church was poor, but because its Wealth was ill divided; whereas if it was distributed in a due Proportion, all the Clergy would be at their Ease. He added, That there were other Abuses which it would be necessary to take away; such as paying so dear to Bishops Secretaries for Letters dimissory, to be ordained in other Places; and to the *Roman* Chancery, for Leave to be ordained out of *Ember-Weeks*. Many lik'd what he said about Letters dimissory; but as to the Permissions from *Rome*, *Cardinal Simoneta* said, That the Pope would take care of them; and that that did not belong to the Council.

It was then debated, whether they should pay the Bishops Secretaries? Some affirmed, that theirs was purely a secular Employment; and consequently there was no Scruple about giving them a Gratuity for their Dispatches. Others, on the contrary, said, theirs was an Ecclesiastical Office; and consequently it was not lawful for them to take any thing. *Antonius Augustinus*, Bishop of *Lerida*, said, the Secretariship to a Bishop was a secular Office; but that it ought to be executed with Moderation, as being an Employment fix'd to a spiritual Thing: Whence he concluded, that they ought to have a Salary, only it should be moderate and certain.

Concerning the fourth Article, whether Bishops should be empowered to turn some *Prebends* into *Distributions*, in favour of those Churches which had not wherewithal to make daily Distributions, or at least which made so small, that it was not worth the while to make them? Some were of opinion, that since the greater and the more frequent the Distributions were, the Churches were the better served; it seem'd, that the Negligence of those who did not assist at the Offices, could not be better remedied, than by taking some Part of their *Prebends* to distribute amongst those that were present: That this was the only Way to make them constant. Others were for having whole *Prebends* converted into *Distributions*.

Lucus Byzantius, Bishop of *Cattaro*, said on the contrary, That they had better constrain the Canons by Censures, and a Deprivation of some Part of their Profits, or of the Whole, or even of their *Prebends*; but without altering the ancient Form, it not being just to lessen the Number of *Prebends* which were already founded, under Pretence that they could be converted to a better Use: That by remedying of Negligence, they would thus open a Gate to Simony; it being certain, that to perform spiritual Offices for a temporal Gain is Simoniackal. Others replied, that the Council had a Power of suffering *Prebends*, originally so establish'd, to be alter'd into *Distributions*, that so Divine Offices might be more decently perform'd: That in the Intention of assisting at them, to reap a Profit, the Gain was not the principal Inducement; since the Chanons went to the Offices primarily to serve God, and secondarily to receive the Distribution. Others replied to this, that the Council had no more Power over the Goods of the Dead, than over those of the Li-

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ving, which no Man was so rash as to pretend to meddle with; and besides, it was not so certain, as Men would make believe, that it was lawful to serve God for Gain, provided that was not the principal Motive: And that it was to be feared, that what they call a subaltern Cause, was the principal one; since it was that which made Men act, and without which they would not act at all. This Opinion displeased the Congregation, and even raised a Murmuring; and the Proposition of converting *Prebends* into *Distributions*, to bring Men to the divine Offices, was better receiv'd.

Difficulties
about the
Decree
concerning
Residence.

When the Debates upon these Articles were over, they nam'd some Prelates to draw up the Decrees. Then it was agreed that the six other Articles should be examin'd in subsequent Congregations; and the two which related to clandestine Marriages, were put off to another time. Next day, the Legates, who met with the Deputies who were to draw up the Decrees upon the Opinions of the Fathers, could not agree among themselves concerning the Article of Residence. Cardinal *Simoneta* favour'd the Opinion which made Residence to be of positive Right; and said, that the Majority of the Prelates were against determining any thing upon that Question. The Cardinal of *Mantua*, without declaring his Opinion, affirm'd on the contrary, that the Majority of Voices were for a Decision. Hereupon it was thought convenient to take the Votes of the Fathers in the next Congregation, and to count them. The Legates therefore, in the Congregation which was held April 20. addressing themselves to the Assembly, said, that several had been of opinion that Residence should be declared to be of divine Right, and others had maintain'd the contrary; and that even some had not explain'd themselves: And that since in that Diversity of Opinions the Number of Voices could not be precisely known, they desir'd the Fathers to give their Opinions only by saying *placet*, or *non placet*, in a distinct and intelligible manner, that so the Committee, who were to form the Decree, might do it according to the Plurality of Voices, as it had been always practis'd in the holy Council. When the Votes were taken, there were 66 for Residence *Jure Divino*, 33 for Residence *Jure Positivo*, and 30 for leaving the Question undecided till the Pope's Pleasure should be known.

Eustace du Bellay, Bishop of *Paris*, who was come to *Trent* but few Days before, seem'd to be very much surpriz'd to see that the Bishops were not content to say that it belong'd to the Pope to call, assemble, confirm, and dissolve the Council; but that they must give him a Power to decide, after the Fathers had determin'd. *Miglizijs*, Archbishop of *Prague*, spoke upon that occasion, and said, that the Council did not seem to him to have much Desire of labouring after Reformation, since, when so great a Number of Fathers were for declaring that Residence was *Jure Divino*, it stuck to the Opinions of those who were for remitting the Determination of that Matter to the Pope; and this the rather, because the Council knew very well that the Pope would no more approve of this Decision, than his Predecessors had done before: That if the Pope must decide upon all the Deliberations which were taken in the Council, no Man could say that the Fathers or the Council were at liberty. The Imperialists went into *Miglizijs*'s Opinion; the Bishops on the other side stiffly maintain'd their own Opinions, which put the Council into a great Disorder.

When the Congregation was up, the Legates consulted together, what was best to be done; and they all agreed to send the Pope a particular Account of what had pass'd in the Congregation, and to wait for his Answer; and in the mean time to hold Congregations to examine the other Articles which had been propos'd. The Cardinal of *Mantua* thought it was best to send his Secretary Post to *Rome* with Letters of Credence; Cardinal *Simoneta* said, it was enough if they wrote to the Pope: At last they concluded to draw up a long Narrative of all

their Opinions, and to dispatch the Cardinal of *Mantua*'s Secretary to inform his Holiness of the whole; which was executed with very much Diligence. The Secretary went out of *Trent* that very Evening; but tho' they took all possible Care to keep his Errand secret, yet the *Spaniards* found it out, who made loud Complaints.

For they had no sooner begun to speak, in the next Congregation, of the other Articles, but they fell back again upon this of Residence. Cardinal *Hofius* interrupted the Debate immediately, saying, that this Matter had been examined sufficiently already: That they were now going to form a Definitive Decree upon it; and when that was read, every Man might say what he pleased further about it: But this did not calm the *Spaniards*. The Archbishop of *Prague*, assuming a Tone rather of a Master, than of one that gave his Opinion, exhorted the Fathers to use more Moderation in speaking; and concluded, that to send to *Rome* for a Decision, was to take away the Freedom of the Council. *Julio Superchio*, Bishop of *Caorle*, (*) being offended with the Tone with which the Archbishop of *Prague* spake, said, a Council could not suffer a greater Indignity, than to admit Laws to be given to it, especially by Men that represented the Secular Power; and added some Words which might have caused a great deal of Disturbance, if Cardinal *Hofius*, who presided in this Congregation, had not quickly calmed their Minds, by passing from the Subject of the Day to another Proposition; which was, to labour after the Deliverance of the Catholick Bishops who were imprison'd in *England*, that so they might go to *Trent*; and that that Noble Nation might not seem to be wholly separated from the Church. This Thought pleased all the Fathers: But it was the common Opinion, that this was rather to be wish'd for, than put in Execution; since, after the Queen of *England* had refused to receive a Nuncio, whom the Pope sent to her on purpose, it was not to be hoped that she would ever hear the Prayers of the Council: So that all that could be done, was, to engage the Catholick Princes to interpose their Credit with that Queen.

April 25. *Nicolas da Ponte* and *Matthew Dandolo*, clothed in plain Violet-colour'd Silk Habits, were receiv'd in the Cathedral Church, as Ambassadors from the Re-publick of *Venice*. *Nicolas da Ponte* made the Speech: He had formerly been Ambassador at *Rome*, under *Julius III*. Soon after the breaking up of the Council, he was made Doge of *Venice*. He refused, out of Modesty, to give a Copy of his Speech; saying, it was the Fruit of an old Tree, which could not be pleasant: That he made it, because he was obliged to it; but nothing could engage him to give a Copy of it.

The Emperor's Ambassador complained, that the *Venetian* Ambassadors were received in the Cathedral Church; pretending that this was doing an Injury to all other Princes. To these Complaints the Legates reply'd, that they had no Intention thereby to raise the *Venetian* Ambassadors: And that they only did it, because the Cardinal of *Mantua*'s Hall was now too little, since there were so many Prelates and Ambassadors at *Trent*; besides, that the heats begun to grow very great. The Ambassador seem'd satisfied with this Answer.

Next Day, and some Days after, Congregations were held to examine the other Articles: About the fifth, namely, whether Parishes, which want more Priests, ought also to have more Titles? the Prelates were for the most part, of opinion, that when one Parish Priest is not enough for the People, and yet his Church is big enough to hold all his Parishioners, they ought not to multiply Titles, because one Church with many Incumbents would never be without Disputes: But then the Bishop ought to have a Power to constrain the Incumbent to take in as many Assistants as would be necessary for his Church; as also to divide Parishes, when their Extent is too great,

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of the
Council of
Trent.

(*) A
small
Island
not
far
from
Venice,
upon
the
Coast
of
Friuli.

Deliberation
about
uniting
and
distributing
of
parishes.]

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great, either by dividing the People and the Revenues, or by constraining the People to make a sufficient Provision for the new Incumbents.

Deliberations about unworthy Parish-Priests.
Upon this, *Eustace du Bellay*, Bishop of *Paris*, said, that this Decree would not be received in *France*, where the Church has no Power to command the Laity in temporal Matters: And that it was not for the Reputation of a general Council to make Decrees which might be rejected in any Province.

Thomas Casello, Bishop of *Cava*, reply'd, that then the *French* did not know that this Power was given to Councils by Jesus Christ and by *St. Paul*, who commanded the People to nourish those that serv'd them in Spirituals: And that if the *French* would live like Christians, they ought to obey. The Bishop of *Paris* made answer, that hitherto he had always believ'd, that what Jesus Christ and *St. Paul* gave to the Ministers of the Gospel, was only a Right to receive Supplies from those who will give them voluntarily, and not to constrain the Faithful to give to them: That *France* would always continue Christian; and that he had no more to say of that Matter.

After this, the 6th. and 8th. Articles were examined, because of the Relation they had one to another. The 6th. was, whether small Cures, which had not a Revenue sufficient to entertain a Priest, ought to be united with others? And the 8th. whether Ordinaries should be impower'd to reunite ruined Chappels to their Mother-Churches, which could no be rebuilt for want of a Fond. The Prelates all agreed, that it was necessary to provide for them; but since Re-unions were reserved to the holy See, most were of opinion that it was not to be meddled with. One thought of saying, that the Council might order Bishops to act in these Cases, that were reserved to the Cognizance of the Pope, as Delegates of the holy See. This Advice was approved, because this Expedient had been used in like Cases, when the Council was first call'd.

Upon the 7th. Article, which was, whether ignorant or vicious Curates should have Coadjutors or Vicars, who might have a Share of the Revenues of the Benefice; the Majority of the Fathers were of opinion, that tho' it was very just that the People should have Persons capable of edifying them by their good Manners, and their good Doctrine; yet it would be sufficient to take care, for the future, that no unworthy Curates were put in, without deposing the present Possessors, because Laws that have a Retropect, are always odious, and look'd upon as violent.

The Archbishop of *Granada* said, that an unworthy Curate was no lawful Possessor; because his Possession was null, as not being ratified by Jesus Christ: So that he ought to be deprived, as illegitimate, and another put into his Place. But this Opinion was rejected as too rigid; and as it seem'd to be impossible to be executed, so there was a middle Way taken, which was, to treat the Scandalous and the Ignorant after a different manner, by proceeding more mildly with the latter, as the less guilty: And since upon all manner of Accounts it belong'd to the Bishop to take care of these things, it was resolv'd to give him Power to proceed as Delegate of the holy See, against those who were under the Cognizance of the Pope.

Of Churches in Commendam.
Upon the 9th. Article it was said, that since Churches in *Commendam* held of the Pope, Bishops should have a Power of visiting and settling these Churches, as Delegates of the holy See.

Pardoners put down.
Then they went to the 12th. Article, and omitted the two others which related to clandestine Marriages. The Fathers were all agreed to take away the Name and Employment of *Pardoners*, who filled the World with Scandal, led the common People to Superstition, and committed abundance of Impieties and Rogueries.

May 1. his most Christian Majesty wrote to *M. de Lansac*, who was upon the Road to go to *Trent*, to do all he possibly could to be at the Council before

the Session, which was to be held upon the 14th. Instant, that he might engage the Legates to procure it, if possible, to the Beginning of Winter, since the *French* Bishops could not be at *Trent* before, because of the Troubles which were in *France* upon the account of Religion; for fear, lest if they forsook their Churches before these Troubles were pacify'd, false Doctors might creep into their Dioceses, and seduce their Flocks by their Doctrine: And that in case he could not obtain so long a Term from the Legates, he should bring them at least to consent that no Decree should be made in the next Session concerning Matters of Religion, because such Decrees made in the Absence of the *French* Prelates would not be receiv'd.

The same day Queen *Catherine* wrote to *M. de Lansac*, to give him an Account, that she had Notice from the Prince of *Mantua*, that he understood from the Cardinal of *Mantua*, his Uncle, that the Marquis of *Pescara*, the Catholick King's Ambassador, had declared to the Cardinal of *Mantua*, at his going out from the Congregation, where he was receiv'd as the King of *Spain*'s Ambassador, that he pretended, by good Will or by Force, to the first Rank after the Emperor's Ambassador; and that the Cardinal of *Mantua* had made him answer, that he must follow what had been regulated in the Council: Whereupon she order'd him to follow his Instructions, and not to suffer that Right, which had been so justly acquired to the Crown of *France*, to be call'd in question.

Soon after, when *M. de Lansac* had receiv'd the King's Letter, seeing he could not be at *Trent* before the Session, he wrote to the Cardinal of *Mantua*.

At the same time *Augustine Bawmgartner*, and *F. Cavillon* a Jesuit, Ambassadors of the Duke of *Bavaria*, arriv'd at *Trent*. In the first Visit which they paid to the Legates, they gave them to understand that they had Orders from their Master, to give place to none but Ambassadors of crown'd Heads, and of Electors. The Legates reply'd, that the Republick of *Venice* possess'd two Kingdoms. The *Bavarian* Ministers reply'd, that it was possible, that when the Duke their Master spake of crown'd Heads, he might also comprehend the Republick of *Venice*; but that it was not their business to explain their Master's Intentions, since he had not done it himself: And that they desir'd them to admit them in the next Congregation to present their Letters of Credence, and at least to ingage the *Venetian* Ambassadors not to be present at that time. The Legates thereupon promised they would do as they were desir'd. They spake to the Bishop of *Brescia* to make the Proposition to the *Venetian* Ambassadors. That Bishop would not concern himself with it, saying, that that Republick would take it very ill, that the Right which their Ambassadors had to precede those of *Bavaria* should be question'd. So it was resolv'd to defer receiving the Duke of *Bavaria*'s Ambassadors till they had an Answer concerning this Matter from their Master. Soon after they receiv'd it, but it was very positive, the Duke enjoining *Bawmgartner* to leave *Trent* immediately, if they did not set him above the *Venetian* Ambassador. The Legates were exceedingly perplex'd with this Answer; plainly seeing that they could not content both the Republick and the Duke, and that they could not disoblige either of them, without doing Religion a great deal of Prejudice; the Duke being as considerable in *Germany*, as the Republick was in *Italy*: They desir'd therefore the Ambassadors to stay a little longer at *Trent*; and at the same time they wrote to the Pope, to desire him to ingage *Ferdinand* to use his Authority with the Duke of *Bavaria*, his Son-in-law, and to represent to him, that the Republick of *Venice* possess'd two Kingdoms; and that, upon that Title, it was in an incontestable Possession of the Right of walking immediately after the Crowns. But the Emperor would not concern himself in so nice a Dispute, and kept himself in general Terms, and only sent

the Pope's and Legate's Propositions to the Duke his Son-in-law.

Whilst they were negotiating this Affair, the Pope was exceedingly perplexed what Answer to give concerning what had passed in the Congregation of April 20. He called those Cardinals five times in three Days, with whom he was used to consult about the Affairs of the Council. The Opinion of those Fathers of the Council, who were for declaring Residence to be *Jure Divino*, was by the Cardinals looked upon as a Stroke which would be very prejudicial to the Pope and Court of Rome, and would be a Means to raise the Dignity and Authority of the Bishops: Some scrupled not to say, this was an Effect of the King of Spain's Covetousness; who having Occasion to get Money from the Clergy, was willing hereby to withdraw the Chapters and Colleges from the Jurisdiction of the Pope, and to submit them to the Bishops: Because the Members of these Chapters and Colleges holding their Benefices immediately from the Pope, were the most averse from granting his Demands; and the Pope was also the more difficult to consent to them, by reason of the Opposition of the Chapters and Colleges: That if the Bishops had once gotten the whole Authority over the Chapters, the King would soon by their Means become entirely Master of the Clergy; because the Bishops, who absolutely depended upon him from whom they held their Bishopricks, would back him in all his Demands.

The Pope seemed in these Congregations to be exceedingly provoked at the Clamours of the Fathers of the Council, and at their Complaints, That every thing was remitted to him; which, said they, was to take away the Freedom of the Council.

At last, when he had conferred with these Cardinals seven times, he held a Consistory upon May 9. where he first caused the Intelligence which he had from Trent to be read, and set forth the Substance of the Conferences which had been held upon that Affair, with the Necessity of proceeding with Address and Constancy; observing also, by the By, that several Prelates conspired against the Holy See: Then he caused the Answer which he intended to send to Trent to be read, which consisted of two Parts: One, That he had for his Part, always left the Council free, and would leave it so: The other, That it was just he should be owned as its Head, and treated with the Respect which was due to the Holy See. All the Cardinals approved of this Answer; and some said, That since the Legates could not agree together, they ought to send others, and even extraordinary ones. Some added, That it was worth while for the Pope to go to Bononia upon this Occasion, with the whole sacred College, that they might be nearer to Trent. The Pope replied, He was ready to go, not only to Bononia, but also to Trent, if it should be needful. All the Cardinals offered to follow him. As for new Legates, it was resolved to defer the Nomination, lest the Cardinal of Mantua should desire Leave to retire. In the same Consistory the Pope said, He thought the Bishops had Reason to assert, That Residence was *Jure Divino*: However, that it ought to be inviolably observed: And, that the Cardinals might themselves reside, he promised for the future to give them Bishopricks nearer to Rome, that they might be in a Condition to visit them, and to reside upon them for some part of the Year.

As soon as the Pope was gone out of the Consistory, he immediately sent away his Answer to Trent. But when he thought that he was at Ease, he all of a sudden found himself involved in new Difficulties: For he received Letters from his Nuncio in Spain, acquainting him, That His Catholic Majesty was not contented with their inserting the Words *Proponentibus Legatis* into the Decree of the seventeenth Session: And Vargas, who came that Day to wait upon him, represented, as from the King of Spain his Master, That those Words tend-

ed to enslave the Council. The Pope made answer, That that Decree was just and necessary; and that to say the Legates should propose, wrong'd no Body. Vargas replied, That the King his Master did not complain at the Decree's saying that the Legates should propose; but that the Ablative absolute *Proponentibus Legatis*, deprived the Bishops of their Right of Proposing; and therefore other Terms ought to be used. The Pope being nettled at this, answered roughly, That he had something else to do than to mind *Cujus generis*, and *Cujus casus*: And then added, That the King of Spain would not have complain'd, nor would the Spanish Bishops have acted with so much Heat, if he had not written to the King of Spain, That the Council was in Bondage; and to the Spanish Bishops, that were at Trent, to defend their Liberty.

After this, the Pope sent an Answer to the King of Spain full of Excuses; letting him know, that this Clause was put in without his Knowledge; but that he found it necessary to repress the Insolence of some restless and turbulent Spirits: That if every one had, according to his Ambition, a Liberty to propose, the Council would be like the Tower of Babel: That the Legates, who were wise Men, and full of Respect towards His Majesty, would always propose what they thought would please him, and content pious Men.

While they were waiting for the Pope's Answer, the Fathers, who were named to make the Decrees, were busie in drawing them up. The Legates were not for having them brought into the Congregation to be examined, till they had received the Pope's Answer. It set forth, That the Fathers had been so divided upon the Article of Residence, that His Holiness thought it proper to delay the making a Decree about it; and the rather, because he discovered that some intended to use this as a Means to lessen the Authority of the Holy See: And that it left it to the Prudence of the Legates, so to manage this Affair, by softning Mens Minds, that the Court of Rome might lie under no Suspicion of Interest in this Article's not being decided; but, on the contrary, that there should be Reason to believe that all manner of Liberty was left to the Council. Accordingly, when the Fathers were met to examine the Articles in the Congregation, which were to be published next Session, the Decree of Residence was found to be omitted; which gave Occasion to those that were concerned, to demand the Declaration with more Heat: And the Excuse which the Legates immediately alledged, That this Matter was not yet sufficiently decided, and consequently was not ready to be proposed next Session, but that it should be proposed in due Time; made the Fathers redouble their Sollicitations, saying, That there never was a better Opportunity to propose it than now; and even murmur, That this Delay was only an Artifice to hinder the Thing from ever being concluded. But when they saw the Firmness of the Legate, and the vigorous Opposition of the contrary Party who were back'd by the Court of Rome, they were forced to bend: And so the Fathers went on to the other Articles, and drew up nineteen Chapters, without staying long to debate them.

The Marquis of Pescara desired very instantly, in the Name of the King his Master, that in the Session now to be held it should be declared, That this Council was a Continuation of that which was begun and continued under Paul III. and Julius III. The Spanish Bishops, and some others who were in their Interests, seconded this Desire; alledging, That this Declaration was necessary by a Necessity of Faith; and that, without it, all the Determinations already made would be called in question, to the great Scandal of Christendom. The Ambassadors of the Emperor were as earnest on the other side; and said, That if they once made this Declaration, they would protest, and be gone immediately; especial-

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Article of Residence omitted.

Dispute whether the Council was continued, or called a new.

ly since their Master could not bear so great an Affront, when he had promised to the Germans, that this third Resumption of the Council should be looked upon as a new one: That, for their Parts, they did not pretend to call in question what had been decided already, but that they still had some Hopes of reducing Germany; and therefore the Means were not to be taken away, nor ought His Imperial Majesty to be injured so sensibly.

Cardinal Simoneta, who was a Subject of the King of Spain's, and Cardinal Scripandus, who had labour'd all he could to put some Words into the Bull of Convocation, which might hint at its being continued, seconded the Demand of the Spaniards with all their Might. But the Cardinal of Mantua stood resolutely against it, not being willing that the Emperor should be thus affronted without a Cause: And that he might content the Spaniards, he found out an Expedient; which was, to say, That since two Sessions had been held already, without touching upon this Difficulty, it would be no Prejudice to delay it a little longer. The Menaces of the Imperialists, and the Credit of the Cardinal of Mantua, induced the Spaniards to recede.

Wherefore the Legates having receiv'd M. de Lansac's Letters, who was the first of the French Ambassadors, which he wrote to the Council, to desire them to defer the Session till he and his Colleagues, who were not far off from Trent, were arrived; the Cardinal of Mantua took an Occasion to propose the Delay which M. de Lansac desired. To this, the Fathers agreed; and some particularly out of a Fear lest the Quarrel concerning Residence, which was not well allayed, might be revived: But that the Honour of the Council might be the better consulted, it was resolved to celebrate the Session without proposing any thing.

Accordingly May 14. the nineteenth Session was held with the accustomed Ceremonies. After Mass was sung by John Jerome Trevisani, Patriarch of Venice; and the Sermon was preached by John Beroaldus, Bishop of St. Agatha; the Secretary of the Council read the Letters of Credence and Powers of the Ambassadors, in the order as they had been presented to the Council. Then the Promotor thanked all the Princes in a short Speech of Thanks, whose Ambassadors were then present, for the Offers they had made of their Forces for the Security and Liberty of the Council. Then the Patriarch of Venice read the following Decree:

'The Holy, Oecumenical, and General Council, lawfully assembled, under the Guidance of the Holy Ghost, the Legates of the Apostolical See presiding there; has, for certain just and reasonable Causes, thought fit to defer, till the Thursday after the next Feast of the holy Sacrament, which will be June 9. the Decision and Publication of those Decrees which ought to have been determined in the present Session, that so the Session may be held and celebrated upon that Day. In the mean time, we ought to pray to God the Father of our Lord Jesus Christ, and the Author of Peace, to sanctifie all our Hearts; that so, by his Assistance, the holy Council may now and always meditate upon, and accomplish that which shall be for his Glory and Honour.

Two Days after the Session of the Marquis of Pescara went from Trent, pretending that the Troubles newly raised by the Hugonots in Dauphine, required his Presence in the Milanese, of which Country he was Governor: But, it being known that the Forces of these Hereticks were not sufficient to go into the Milanese, out of that Province, through the Dutchy of Savoy, which lies between them, many People believed he had Orders from the King of Spain to retire; His Catholick Majesty desiring a quick Dispatch of the Council, and for that Reason unwilling to interrupt it by a Quarrel which would infallibly arise about Precedence, if his Ambassador stayed at Trent till the French Ambassadors arrived. It was said also,

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that the Marquis of Pescara had given the Cardinal of Mantua to understand the same thing.

May 18. Lewis de S. Gelais de Lansac made his Entry into Trent between the Patriarchs of Venice, Aquileia, and Jerusalem, and the Portugeze Ambassador, accompanied with abundance of Bishops, and particularly the Spanish ones; and the next Day he visited the five Legates. May 21. his two Colleagues, the Sieurs de Pibrac and de Ferriere, likewise came to Trent.

At the same time the Pope receiv'd particular Letters from Cardinal Simoneta, in which that Cardinal gave his Holiness a particular Account of the Affairs of the Council; laid all the Troubles which had happen'd at Trent upon the Cardinals Mantua and Scripandus; accusing the former, in particular, of letting that Opportunity slip, when this might have been declared to be a Continuation of the Council, after the urgent Sollicitations which the Spanish Ambassador and Bishops made; as also, that he join'd with the Spanish Bishops, in getting Residence to be declared to be of Divine Right. As soon as the Pope had read them, he called together the six Cardinals who were nominated to mind the Affairs of the Council, that he might advise with them concerning what he had to do. When the Pope had heard their Opinions, he said, He had no other Resolution to take, but to send new Legates to Trent, who were better affected towards the Holy See: That he had Thoughts of the Cardinals Cigala, de la Bourdaiziere, and Navigerio: That he knew the first to be a Man full of Zeal and Affection; and that he always found what Charles V. said of him to Julius III. to be true, when he had concluded that Negotiation with the Emperor, with which he was entrusted by that Pope; That he was a Man that could resolutely charge through the thickest Squadrons: That with this Firmness he understood the Law well: That he perform'd the Office of Auditor of the Apostolick Chamber, for many Years, with Honour: That Paul III. had often advised with him concerning the Business of the Council: And last of all, That he was a Genoese, and it was sufficiently known how well affected that Nation was towards the Holy See; and that he might then assure himself, that he should for the future have two Men at Trent, in whom he might confide; Cardinal Simoneta, and Cardinal Cigala. That that which made him think of Cardinal de la Bourdaiziere, was, That he had always observed in him great Piety and great Firmness: That whilst he was Ambassador at Rome, from His Most Christian Majesty, he knew so well how to manage the Interests of the Pope and the King of France, that he had acquired the Esteem of them both; so that the Pope was pleased to be solicited by His Most Christian Majesty, to make that Man a Cardinal: That it was he who had made him hope, that by his Address he might engage the Kings of France and Spain to join in that Point which was so necessary for the Honour of the Holy See, which was the Declaration that this Council was only a Continuation of that which was held under the Popes Paul III. and Julius III. That as for Cardinal Navigerio, he had Reason to hope for a great deal from him, since he was one of the most considerable Senators of the Republick of Venice; who had been long an Ambassador in almost all the Courts of Europe, and that of Rome among others, of which he had a very particular Knowledge: That upon these Accounts he would be a proper Man to appease the Troubles which were raised in the Council; to calm Mens Minds; and to bring the Venetian Bishops, who were very numerous, to pursue the Interests of the Holy See.

The Cardinals approved very much of the Pope's Resolution, who immediately wrote to the Legates in a roughish manner; reproaching them with not having acted like faithful Ministers, but suffering the Question of Residence to be proposed, which had caused so much Disturbance already in Paul III's Time, and which had been hitherto so happily kept from being decided: And that which he took the

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The History of the Council of Trent. Lansac's Arrival at Trent.

Resolution to propose sitting in the next session.

Session XIX.

Departure of the Marquis of Pescara.

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 worst, was, that they had sent back the Decision of it to him, so that he was extremely perplex'd about it. These Reproaches were written in such a manner, that it was plainly perceiv'd they were levell'd at the Cardinals of *Mantua* and *Seripandus*. The Pope added, that having well consider'd of how great Importance it was to have Legates in the Council who thoroughly understood the Interests of the holy See, he was resolv'd to send thither Cardinal *Cigala*, whom he intended for that Post at first, upon the Cardinal *de Putco's* Death; and to join to him the Cardinals *de la Bourdaisiere* and *Navigerio*, as Persons who were proper to manage the Dispositions of the Prelates of several Nations who were at *Trent*.

Cardinal *Borromeo* wrote also, as from himself, to the Cardinal of *Mantua*, to let him know how much he was troubled at the Resolution which the Pope had taken: That he desir'd him to believe he had no hand in it: That, on the contrary, he had done all that Man could do with his Holiness, to dissuade him from such a Resolution.

Legate's Answer to the Pope.
 The Legates jointly sent an Answer to the Pope, wherein they testified to his Holiness the Sorrow they were in, that they had not answer'd his Expectation; and ended with assuring him that they would receive with Respect any Colleagues that he should send them.

The Cardinal of *Mantua* sent also a particular Letter to the Pope; in which he desired leave to retire from *Trent*, since his Holiness was not satisfied with his Conduct: And that it was his particular Interest which engaged him to desire this Favour; because, having hitherto had the Honour to preside in the Council, he should be obliged to give place to Cardinal *Cigala*, who was his Senior.

Cardinal *Seripandus* likewise made a long Apology for himself, which he sent to Cardinal *Borromeo*, to justify the Cardinal of *Mantua's* Conduct and his own. The Pope having read this Apology, began to suspect that Cardinal *Simoneta* was willing to do ill Offices to those two Cardinals; and upon the Advices which he receiv'd from *Trent*, that if the Cardinal of *Mantua* went away, the Council would quickly fall into Confusion; because all the Fathers and all the Ministers had an entire Confidence in him, which was created by his Sweetness and his Moderation; his Holiness changed his Resolution. However, that he might be entirely assured of the Truth, and be fully informed of what pass'd in the Council, he made choice of *Charles Visconti*, Cousin-Germain to Cardinal *Borromeo*, to send to *Trent*; giving him Orders to take an exact Account of what was done, both without and within the Council: To let the Cardinals *Hofius* and *Simoneta* know that he was satisfied with their Conduct; and to tell the Cardinals of *Mantua* and *Seripandus*, plainly, the Complaints which were made of their Behaviour: To pay however to the Cardinal of *Mantua* more Honour than to the other Legates, but to stick particularly to Cardinal *Simoneta*: To let the Legates know, that they should meddle with the Business of Residence no more; or if any body was for having it brought on again, to endeavour so to gain upon the Bishops, that the Decision of it should be left to the End of the Council: And lastly, to acquaint him with the Reasons of the Division which seem'd to be between the Legates.

King's Letter to the Bishops of France.
 When the *French* Bishops, who were at the Council, came to wait upon *M. de Lansac*, he put into their Hands a Letter from the King, in which his Majesty enjoined them, as often as *M. de Lansac* should give them Notice, to meet at his House, or at some other Place, to deliberate upon the Affairs that should present themselves, or which he should have to propose to the Council, or to negotiate, and not to fail to do it; and to behave themselves in every Place, and upon all Occasions, with Wisdom, and Prudence, and Concord; and not to shew any Obstinacy or Passion, which might lead them to prefer a private Interest to the publick Good: And that

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 for this purpose they should always have before their Eyes, and in their Mouths, what might be for the Honour of God and the Glory of his Name; and should contribute towards the pacifying the Troubles concerning Religion. At last the King prays them to believe all that his Ambassadors should say to them in his Name, as much as if he himself had said it.

King of France's Letter to the Council.
 May 26. 1562. a general Congregation was held, in which the *French* Ambassadors presented their Letters of Credence and their Powers; setting forth, that his Majesty was sorry that he could not, by reason of the Troubles and Divisions which had arisen upon the account of Religion, send his Ambassadors and the Prelates of his Kingdom sooner to the Council: That he was persuaded, that the Fathers of the Council were too wise not to impute this Delay rather to the Calamity of the Time, since these Troubles were not yet allwaged, than to a Want of Will on his part: And that tho' he was yet in his Minority, yet the whole World should know, by the Effects, that he had all the Tenderness of an eldest Son of the Church for Religion, and this afflicted Church of Christ: That he had sent some Bishops out of his Kingdom to the Council: And that he had chosen for his Ambassadors, *M. de Lansac* Knight of his Orders, and with him the Sieurs *Arnaud du Ferrier* President of the Parliament of *Paris*, and *Guy de Faur*, Sieur de *Pibrac*, Judge-Major of *Thoulouse*; to whom he had given Power to assist in his behalf at the Council, and there to hold the same Rank which the Ambassadors of the Kings his Predecessors have always held; and to demand jointly or separately, in his Name, and in the Name of his People, all manner of Reformations, Constitutions and Decrees, according to pure Doctrine, with those Things which shall be for the Advantage, not only of the *Gallican* Church, but of the whole Church in general; the Re-union of Sectaries, and the End of the Controversies which are at present in Religion; the Exaltation and Propagation of the Name of God: In one Word, the Salvation of *Christendom*. He prays the Fathers of the Council to receive his Ambassadors favourably; to hear what they shall say in his Name attentively; and to put the same Confidence in them which they would do in him, if he were present.

M. de Pibrac's Language to the Council.
 When this Letter was read, *M. de Pibrac* spake in these Words: ' You have here Gentlemen, in these Letters which we have put publickly into your Hands from his most Christian Majesty, *Charles*, King of *France*, an Evidence of our being his Ambassadors; of which our Embassy, we shall, to satisfy the Duty of our Charge, set forth, since this is the time, the different Motives, and important Reasons, which will not only serve to let you know the Disposition of the Mind and Heart of this good Prince, but also the particular Esteem which he has of your Virtue and Piety. This we shall do in few Words, in a simple, natural Manner, without Art, and without Ornament; for thus Men ought to do, when they have to do with grave and wise Men. The truth is, if there is any thing which we would passionately desire and ask for, it is only that you should remember that *Charles* is the Son of *Henry*, and Grandson of *Francis*. After that, you will not need that we should say any more to you, in order to acquaint you with the Causes and Reasons of our Embassy; for at the mention of these august Names of *Henry* and *Francis*, each of you will quickly and easily represent to himself, what it is that we are to do in this Christian Assembly; what the Commission is that we are charged with, and what the things are which we are to ask for, who have the Honour to be the Ambassadors of a Prince, who is not only an Imitator of his Father's and Grandfather's Virtues, but also their Heir and Successor, who thought nothing to be more worthy of his Pains and Labour, than to call a holy Council and Synod in a convenient and free Place, where nothing needs

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be feared for those that shall meet there, where Men may see that Equity and Justice reign, and that Christians are publickly and lawfully Assembled from all Parts of the World, under the Conduct and Auspices of a most Good and Gracious God, who will bring those Articles of Religion which are at present controverted, into one single Sense, which shall be fixed by a Decree made by such a General Council. These were the King's Thoughts as soon as ever he began to sit upon the Throne. Of this Zeal and Affection, which the King, my Master, has always had for the Christian Faith, his Majesty can bring those very Men whom he has named to be present at this Council, as his Ambassadors, as sincere and faithful Witnesses: For here is *Lewis de St. Gelais*, one of the most illustrious Knights of his Majesty's Orders, who for his Virtues and rare Endowments deserved to be one of the King's Privy Council; and who, after he had worthily acquitted himself in several Embassies, was lately sent to *Pius IV.* with the sole Design of inducing that Sovereign Pontiff, who was disposed to it of himself, to call a Council; the more to enflame, if that could be, his Heart already burning with a Love of Religion: At the same time to lay open to that Pontiff, or rather to that good and tender Father, the Wounds of our *France*, which cannot be touched without Pain, and to let him know that they cannot be closed nor healed, but by such a Council as is entirely at Liberty. You have also here before you *Arnaud de Ferrier*, President of the Parliament of *Paris*, whom his most Christian Majesty sent two Days after the Death of his Brother *Francis II.* to the same Pope, recommending nothing to him more particularly in his Instructions, than to desire his Holiness to call a Council, *i. e.* an Assembly form'd out of the Faithful of all Nations in the World which profess the Name of Christ, and to solicit that upon all Occasions: To admonish his Holiness, and to represent to him that it was to be feared that great numbers of Men of our Communion, who have hitherto been retained in their Duty by the hopes of an approaching Council, being at last tired out with staying so long, should forsake us, and go over to those whom we know to be very opposite to the Name and Belief of the Church of *Rome*; and consequently the Flock of Jesus Christ would be diminish'd, not only to the Disadvantage of *France*, and of all *Christendom*, but also to the Shame and Confusion of those who are most concerned, and who would not obviate those Evils when they might. This has been negotiated with the Pope more than once, as you see; and if this be not sufficient to manifest to all Mankind the Care which his Majesty has been at to settle the Peace of *Christendom*, and to convince Men of the Uneasiness to which he has put himself, to establish Concord and a good Understanding between the different Orders of which his Kingdom is compos'd; in a word, to justify the Views and Thoughts which he has had, and his Notions of the proper Methods to heal the Wounds of the Church; what is farther to be expected? I am perswaded, that when once the Publick shall be informed of it, and Posterity be made acquainted with it, that all the World will commend and approve of his Majesty's Conduct. It was not to the Pope alone that we so frequently Address'd to get a Council called, but also to the most Invincible, and most August Emperor *Ferdinand*, and to *Philip* the most Mighty King of *Spain*. There are no Kings nor Commonwealths whom we have not solicited to think upon, and to joyn in so great and so holy an Action in so necessary a Time; whom we have not conjured by our Ambassadors, whom we have always kept in their Courts; whom we have not exhorted with reiterated Prayers day after day, and in short, by all possible Sollicitations, to be all of one mind in Matters of Religion, and to quench that Fire which is kindled in all Parts in the Church. I call you all to witness, most Illustri-

ous Ambassadors of Kings and Commonwealths, who are here present; nay, I who speak, can call my self to witness; I can boldly swear to the Truth of what I assert, of which I have as perfect a Knowledge as any Man whatsoever, by reason of the Employment which I have in *France*; and especially since all that I have the Honour to tell you, is in the King's Edicts, and in the publick Registers. But it may seem to be Ignorance in me, if not Rashness, to take so much Pains artfully to gather together so great a number of Proofs of so very plain and clear a Matter; especially to you, who are satisfied it is true, and who no have manner of doubt about it: For which reason I pass on now to other things, which I cannot avoid saying, though it shall be in few words.

The whole World, Gentlemen, is under an incredible expectation of what this Holy Council will do. I speak not this to flatter you; and I had never any Regard for those Men who use Flatteries in their Discourses: But then your Modesty ought not to hinder me from saying, with the same Simplicity with which I began to speak to you at first, that the whole World expects something great, and in a manner Divine, from you: For they look upon you, as upon Men who act not by their own Strength, *i. e.* by the Strength of Men, but as inspired by the Spirit of God, thro' Jesus Christ, to cure and restore our Religion, which is wounded by infinite numbers of Opinions that are crept into it, to its first Estate: They consider you, I say, as Men who are to conduct the Church, which for fifty Years together has been tossed about by contrary Opinions as by so many Tempests, to its Haven; in short, as Men who can fix and determine what is for the Honour and Dignity of the Church, and suitable to the Necessity of the Time, in the midst of these Doctrines which like so many Waves beat against one another. We are obliged indeed to acknowledge, that Human Frailty; and perhaps the Mismanagement of those who have govern'd the Church, or perhaps likewise, that I may not say any thing more severe, an ill-regulated and unseasonable Piety, may have brought many things into the Church, which deserved to be abolished, or corrected. Now, as I have always thought that those ought to be check'd, who according to their own Fancies, or rather their blind Passion, do without Authority or Decree take away all those Ceremonies which are consequent and dependent upon Religion, do introduce new Rites and an impious Worship, and so raise Disturbances in the most quiet States: So on the contrary we may happen to sin, when we persuade our selves that whatsoever is of any Antiquity ought obstinately to be retain'd, without sufficiently considering what the Posture of Affairs, the Circumstances of the Time, and the publick Peace do require. In truth, there are some things, and perhaps I should not be mistaken, if I should say a great many, which must be born with for the Advantage of the common Peace. We ought not to fancy that we hurt our Dignity, or want Resolution, when we yield in any Point in favour of another; we ought rather to believe, that it is better to forsake our own Opinions, tho' just, than to keep up so great a Dissention, by being obstinately wedded to them. I do not doubt, Gentlemen, but since you have taken upon you to silence all the Controversies which have been raised upon the account of Religion, you will not think your selves discharged till you have entirely finished and regulated all these things.

You are, in truth, all the Hope we have left; you are the sole Support of the Minds and Hearts of good Men. The implacable Enemy of Mankind will, I know, give you great Opposition; he will do all that ever he can, to make you lose your design of continuing the Work which you have begun, to slacken that Zeal which carries you to the noblest and the piouslest Work that ever was, and to make your

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most laudable Undertaking miscarry: In a Word, he will make use of our Quarrels and Dissentions, which waste and consume us, and upon which he cruelly feeds, as upon the most delicious Meats, in order to draw you away from your first Views and your Duty. You know full well, *Gentlemen*, that he can very easily do us Abundance of Mischief, and ruine all our good Designs. How often, I pray, will he cry out unto you in this manner against the Truth? Alas! What a deal of Labour is here foolishly and uselessly undertaken? What will you carry Home when you have past over so many Countries and Seas, but Envy and Poverty? Whither do you throw your selves head-long? What are you doing here besides, the reviving that primitive and severe Discipline of the Fathers, which is almost lost, only that for the future you may live less sumptuously, and that you may pass the Remainder of your Days with less Happiness and Tranquility? Think now, that you will be no longer allowed to reside in the Courts of Princes, to keep good Cheer, to lodge magnificently, to walk with the Train of Kings, and to enjoy those sweet Pleasures, without which Life for the most part is very comfortless and disagreeable. You must after that content yourselves with little to live upon, and with being for ever fastned to one Benefice, as to a Rock; busied in admonishing, in persuading, in giving, in thinking upon nothing but what may tend to the Profit and Advantage of other Men: What good will it do you to get up into a Pulpit to preach? Why should you hurry on old Age with constant Meditation? Why should you destroy yourselves before the Time, in the Flower of your Age, by consuming your Bodies with Watchings and Fatigues? These are the Evils which you are now drawing upon your selves with so much Ardour. Fools and stupid that you are, who understand not your real Interests; these are the rigorous Duties of your Life, and of your Employments, which you are labouring to revive, and to set them in their greatest Lustre, now that they are out of use, and long since entirely forgotten. You are sensible, *Gentlemen*, as I believe, of the Reproaches and the Charms, by which our Enemy does too insensibly insinuate himself into our Hearts, under an Appearance of Good. If once you hear him favourably, and if you suffer him to dazzle your Understandings with the Lustre of that false Good which he will lay before you; in a word, if any other Motive besides the publick Good prevails upon you, I tell you before hand you will do nothing; for by a base Perfidiousness you will forsake that Charge which you have taken upon your selves, or else you will discharge it weakly and cowardly; and by this single fatal Stroke, you will cause us all to be undone, since our Salvation depends upon this final Hope, which is the last we have. In short, you will for ever lessen the Authority and Dignity of Councils, which, when the Church first arose, was of so great Weight, and which will ever be so in a well regulated State. We know that in ours, our Fathers, and our Grandfathers Times, Councils have been held, that Bishops have met, particularly in *Italy* and *Germany*, and that *Christendom* has reaped very little or no Advantage from them. I will not too curiously enquire into the Reasons; neither will I rest upon the Reports which have been spread; but I cannot dissemble one thing, lest it should bear too great a Resemblance with the present Time; and that is, that it is sad, those Councils were not sufficiently free: Those that were present spoke only as other People would have them, or rather gave their Opinions only with their Caps, or only lent their Consent; and yet nothing is more dangerous, or more criminal, than this way of giving one's Opinion when a Man is to judge. All you that are here assembled in God's Name, are assembled not

barely to deliberate, but to judge: You have a Right, a Faculty, a Power without any Exception, of Enacting, Defining, and Deciding, as the Holy Ghost shall inspire you. *Charles* our King, if there shall be need for it, even though he should lose his Life, will maintain you in that Power and that Liberty which you have received from God, according to the good and ancient Discipline of Councils, and will preserve it entire to you; and it is chiefly upon that account that we are sent. Now, if in the Affairs of particular Men, when we are to judge of the Title to an Estate, or of a Service, such as a Water-course for the purpose, it is dishonourable for a Judge to give Sentence to please another, and this is a Crime which is severely punish'd by our Laws; what Punishment, I beseech you, do not those deserve, who, when they are chosen to be Judges of Divine Things, forget what they owe to their Dignity and Character, and think of nothing when they give their Opinions, but how to get the Esteem of the People, and shamefully deliver themselves up to the Inclinations and Passions of the Princes to whom they are subject; or rather say nothing but what is dictated and prescribed to them, as if they were clad with the Robes of a Slave? These light and inconstant, these interested Judges certainly deserve to be condemned to eternal Punishments. We are not the first who have made these Complaints: It is your Business, *Gentlemen*, to take care that Posterity, which is an incorruptible Judge, does not make the same Complaints of you. And though you should be cover'd from the Judgments of Men, how can you escape that of God, who from the highest Heaven, sees every Man's Disposition, what he does, what passes within him? Who sees, I say, our Desires and our Thoughts, who searches the Windings and Foldings of our Hearts, and who considers what our Views are, and what our Motives, when we give our Suffrages. If we act through secret Hatred; if Flattery mixes it self with our Discourses; if we are taken up only with our own Glory; if through too ardent a Desire, we refuse to embrace the Truth when it offers it self; if we prefer small Satisfaction to a greater Good; if we deceive our selves, and willingly suffer our selves to be deceived; if when we give our Suffrages, or decide any Question, we endeavour by a shameful Complaisance to induce Popes, Emperors, and Kings, to be liberal to us. In short, *Gentlemen*, if any one of these Faults should be committed in this Assembly, (which we are very far from thinking, out of the good Opinion we have of your Piety and Justice) if, however, this should happen, we shall have no farther Refuge: I will tell you freely, that every thing would be in the utmost Desolation. God forbid that this should prove true; but I think I am not much mistaken in my Conjectures; we should soon see *Christendom* destroyed by Divisions, and a Fire kindled all over *Europe* by civil Wars: In short, we must either perish by a civil War, or, which is yet more grievous, we must survive to be Spectators of our Countries Ruin; and let Fortune turn which way it will, follow the Fate of the Conqueror. These things indeed appear so afflicting to me, that the very Thought of them makes me tremble. Animate your selves therefore, *Gentlemen*, and employ your Cares Night and Day, to let the World see that you have not in vain procured this only Remedy to afflicted and almost despairing *Christendom*; and that we have not wisht and sought for it in vain; and whereas, from what has been done in former Councils, Men have been led to judge concerning what will be done in this, let all the World see that the Times are alter'd; that the Conduct is alter'd; that it is free for every Man to dispute; that Controversies are not decided by Fire, nor is Faith violated in this Council; that here Men are not

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not guided by Prejudices; and that as nothing but the Truth is sought after in these Disputations, which is always one and the same, flowing from the same eternal Fountain, so the Holy Ghost is not invoked, nor is he made to come from any other Place than Heaven, to be present and to preside here; and that it is only according to his Motions and Inspirations that Men treat here of the publick Good, general Peace, the Re-union of the whole Church, and the Restoration of the ancient Discipline: In short, that this Council is not that which was called and began under *Paul III.* continued under *Julius III.* amidst the Noise and Confusion of the *French* and *Spanish* Arms, and broke up without doing any good; but that this is a Council called a-new according to ancient Custom, and agreed to by all Kings, Princes, and Commonwealths. It is therefore, *Gentlemen*, of the last Consequence, that the whole World should be made acquainted that Things are in this Posture, and what it is that all your Thoughts and Inclinations tend to; that when once the Report shall be spread abroad, *Germany*, that great and noble Part of *Europe*, for which we are so very much concerned (for who knows not the strict Alliances which are betwixt the *French* and *Germans*, and their ancient Confederacies, which are not only founded upon the Faith of Treaties, but rather upon a perfect Conformity of Wills and Manners, inspired by that Nature which has given a common Original to these two Nations) this *Germany*, as I began to tell you, being awaken'd out of its profound Sleep, at the Noise of the Commendations which you shall receive, may assemble and depute Ambassadors to this Place; who accompanied with the Heads and principal Inventors of all these Disputes, and with their wisest and most eloquent Divines, may plainly lay before you their Opinions concerning Religion, and discover to you their most secret Grievances. By this means all *Christendom*, which has been long torn to Pieces and dismembred, and upon that account exposed to foreign Resentments, and to its own, will by the Grace of God find it self to be re-united into one Body. But I dare not yet think of, nor flatter my self with the Hopes of ever tasting so great a Pleasure, it appears so incredible to me. For what Delight, I pray you, is it, only to consider with the Eyes of the Mind all Christians to be of the same Opinion, of the same Faith, to have the same Hopes, and to burn with the same Fire of Charity? If we could ever be so happy as to see this perfect and divine Union of Hearts and Minds, there would hereafter be no Force, no Power, capable of breaking or shaking it. But that you may execute what you have undertaken with the greater Courage, we do assure you, that in the Person of His most Christian Majesty, *Charles*, King of *France*, you shall have a faithful Companion of your Labours; and we do most religiously promise you in his Name, who has done us the Honour to chuse us to be his Ambassadors, and the Interpreters of his Will, that he will assist you to the utmost of his Power. He would have been here, a Witness and a Spectator of your Actions, as you may assure your selves he will always be their Panegyrist and Defender, if his yet tender Age, not accustomed to the Fatigues of long Voyages, had not hinder'd him; or rather, if he had not been stopt by the Fear of a civil War. But he has order'd us to do with all possible Care and Exactness, all that he could have done himself, had he been present, by offering you his Person, and all that belongs to it: And his Majesty, considering that his Protection will exceedingly contribute to the Execution of the Design which you are now upon, has commanded and enjoyned us publickly to assure you of his good Will, and to make you sensible of his Affection for your Order, and his Zeal for *Christendom*; being ready to sacrifice his Life,

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his Estate, and his Blood, if there should be Occasion, for that purpose.

This Discourse was well taken by some of the Fathers of the Council; others looked upon it as too choaking; and so the Secretary of the Council not knowing what Reply to make, was silent, and the Fathers rose up immediately.

Next Day the same Ambassadors had their Audience of the Legates, who expected them; and they told them, that the Troubles of *France* hindered the Bishops of that Kingdom from coming to the Council, who would come as soon as ever those Troubles were appeased, which they believed would quickly be: That the Declaration that the Council was continued gave Suspicion to the *Hugonots*, who demanded a new one: That the Emperor and the King their Master, had treated together, and demanded the same thing in the Name of those of the *Augsburg*-Confession: That formerly when the *French* Ministers treated about it with the Pope, he told them the Difference lay between the Kings of *France* and *Spain*; and that he whom this Debate did no ways concern, left the Matter wholly to the Council: That therefore they desired the Fathers to declare plainly that this was a new Council, and not in ambiguous Terms, such as these, *Indicendo continuamus, et continuando indicimus*, which are contradictory in themselves, and captrious besides, and not answerable to that Sincerity which those ought to have in their Words who profess Christianity: That the former Decrees were neither received by the *Gallican* Church, nor by the Pope himself: That King *Henry II.* protested against them: That they address'd themselves to the Legates, because his Holiness had several times declared, that this Difference about *Indiction* or *Continuation*, was none of his Business, but the Council's. Before they went from their Audience, they left their Demand in Writing. The Legates took the Memorial, and sent a Copy of it to the Pope, with Monsieur *Pibrac's* Speech.

The Time of the Session was now approaching, and the Legates propos'd nothing to be determin'd in it: The Bishops, therefore, who were for Residence, renewed the Question, and perswaded the Ambassadors of the Princes, to desire that it might be decided next Session: The Ambassadors did so, and represented to the Legates, that after so many Disputes, it would be very shameful to leave that Question undetermined, and that the World would not fail to suspect that it was put off for some particular Reason, especially since most of the Bishops, and they too the most principal, demanded that it might be determin'd. The Legates deputed the Bishop of *Sinigaglia* to let them know, that the Time was so short, not to mention several other Considerations, that it was impossible to determine it now, but that it might be treated of next Session, or when they came to treat of Ecclesiastical Orders.

To this the *French* Ambassadors, in concert with the *Imperialists*, replied, that since this Question could not be decided next Session, they demanded that Matters of Faith might not be treated of in the Absence of the Protestants, or at least, that they should wait for them till there was no longer Hopes of their coming to the Council: And that in the mean time the Council might busy it self in the Reformation of Manners, which all the World look'd upon as necessary. Cardinal *Simoneta* made answer, that that seem'd to be easy; but there was nothing more difficult, since there were many things to be reform'd in the States of Princes, particularly in beneficiary Matters.

The *Spanish* Bishops demanded, that the next Session on the Council should be declared to be continued, since they would not decide the Question of Residence. This was oppos'd by the Emperor's and the King of *France's* Ambassadors; so that the Legates being very much perplexed, resolv'd to send Cardinal *Attems* to know the Pope's last Resolution upon this Matter. Just as Cardinal *Attems* was ready to go, there came a Courier from *Rome*, by whom the Pope sent the Legates Word, that he would have the Continuation

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French Ambassadors Demand for a new Indiction of a Council.

Question concerning Residence, renewed and put off.

Question concerning the Continuation of the Council determin'd.

The History of the Council of Trent. of the Council declared next Session as had been promised to the Spaniards: This Order put the Legates into great Perplexities, because they foresaw the Disturbance which such a Declaration would occasion: Having therefore consulted together, they resolved to send Cardinal *Altompe* post to Rome, to remonstrate the Inconveniences of such a Declaration: But in the very Instant that he was going away, the Legates luckily receiv'd new Letters from the Pope, in which his Holiness left the Matter to their Discretion.

This so sudden a Change of the Pope's principally proceeded from the Copy of the Memorial which the French Ambassadors presented to the Legates, which was sent to Rome as we said before; because one of the Demands contained in that Memorial was, that it should not be declared, that the Council was a Continuation. The Pope was afraid of provoking the French Ambassadors any farther, who would have certainly made a Noise, if that Declaration had been made; for by M. *Pibrac's* Speech, he judg'd what they were capable of doing: For once in Discourse with Monsieur de Lisse, the most Christian King's Ambassador at Rome, he told him, that the Memorial and Speech of the French Ambassadors, were the Compositions, not of the Ambassadors of the most Christian King, but of the Ambassadors of Hugonots.

Upon this last Answer of the Pope's, the Legates engaged the Emperor's and King of France's Ambassadors to get the Spaniards to consent, that a Continuation should not be talk'd of for the present; which they did. So it was resolved that a Decree should be made next Session, only setting forth, that the Decision of the Matters proposed should be refer'd to another Session.

June 3. there was a Congregation, in which several Fathers who were offended at *Pibrac's* Speech, pray'd the Legates to answer him briskly, when the Letters of Credence of the French Ambassadors were read in the Session. Cardinal *Altompe* was also of the same Opinion, saying, that the Insolence of that Lawyer ought to be checked. This Commission was given to *John Baptista Castello*, the Promoter, but with Orders only to defend the Dignity of the Council, without giving Offence to any Man.

June 4. the XX. Session was held with the ordinary Ceremonies. When the Letters of Credence of the French Ambassadors were read, the Promoter made them this Answer. 'Your Arrival, Gentlemen, makes us hope for a happy Issue of this Council, to which Pope *Pius* has been obliged to have recourse, as to the only Remedy of all those Disorders which have crept into Religion, hoping that a Council begun under the Guidance of the Holy Ghost, and with the Consent of Christian Princes, will restore the Church to its primitive Lustre. The Fathers praise and admire the Zeal of the most Christian King, who, when he could not assist in Person at the Council, because of the Weakness of his Age, and the Troubles of his State, has sent hither Persons endued with rare Prudence and singular Piety, to promise all manner of Assistance in his Name, and to pay

the Obedience that is due. The Fathers are persuaded, that this Council will never be suspected by Men of Sense, because of any preceding ones, which some ill-affected Persons have accused as unlawful, since Councils called by those, to whom that Right appertains, have always been look'd upon as lawful. The Snares and Temptations which have been so ingeniously described by one of your Colleagues, how terrible soever they are in themselves, will never prevail upon this holy Council. The Fathers however are willing to interpret the Advice which you have given them, in good part, tho' perhaps it is needless, since there is no danger of their being led by the Humours of the People, or by the Favour of Princes; and they choose rather to take it in good part, than to be obliged to answer in Terms different from their ordinary Gentleness: To cure therefore your vain Fear, the Council declares to you, that it will prefer its Honour and Duty to every thing in the World, and will shew it by its Effects. You may therefore assure his most Christian Majesty, that the Fathers of the Council will do all they can, saving the Interests of Faith and of Religion, for the Maintenance of his royal Authority, and the Advantage of his Dominions.

These last Words gave little Disturbance to the French Ambassadors, because of the Supplies of Men and Money which his Majesty demanded of the Pope against the Protestants, towards maintaining his Authority and the Quiet of his Kingdom.

Then the Proxies of the Archbishop of Saltzburg, which were produced by *Hercules Retinger* Bishop of *Lawermuntz*, and *F. Tobias* a Dominican, were read. Last of all, *Peter Gonzales de Mendoza*, Bishop of *Salamanca*, read the following Decree.

'The holy, œcumenical and general Council of Trent, lawfully assembled under the Guidance of the Holy Ghost, the Legates of the apostolical See presiding there, has, upon the account of several Difficulties which have arisen, and upon divers other Accounts, and lastly, that they may proceed in every thing with more Order, and more mature Deliberation, that is to say, that what relates to Doctrine may be debated and determined jointly with what belongs to Reformation, ordered, that what shall need Regulation in Reformation as well as Doctrine, shall be defined together in the next Session, which it declares to all shall be held upon the 16th. of July next, with this Reserve, that the holy Council may freely, according to its own good Will and Pleasure, shorten or lengthen that Term, even in a general Congregation, as it shall be thought expedient for the Affairs of the Council.

When this Decree was read, 36 Bishops, some Spaniards, some Italians, (without including the Bishop of Paris) demanded to have the Article of Residence regulated that Session: Some other Bishops demanded the Continuation to be likewise then declared; but all the rest being silent, the Legates rose up, and Cardinal *Scripandus* said *Deo Gratias* with a loud Voice, and every Man withdrew.

C H A P. XVII.

The History of Session XXI, and of the Congregations preliminary thereunto.

Articles concerning Communion under both Kinds to be debated.

June 6. there was a general Congregation held, in which the six following Articles were proposed to be decided in the next Session. 1. Whether all the Faithful were bound by the Law of God to communicate under both Kinds? 2. Whether the Church did introduce the Custom of administering to the Laity only under one Kind with Reason, or no? 3. Whether Jesus Christ is received entire, and as much Grace is given under one Kind, as

under both? 4. Whether the Reasons that led the Church to give the Sacrament to the Laity under the Species of Bread alone, is of any force at present? 5. Under what Limitations the Church might grant the Cup to some People, supposing there were just Reasons for so doing. 6. Whether it is necessary to give the Communion to Infants, before they have the Use of Reason?

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of the
Council of
Trent.

The Fathers were asked, if they were willing that these Articles should be examined, and if they thought that any thing else ought to be added to them? Now though the *French* Ambassadors and several Bishops were of Opinion that they should not meddle with Doctrines, till they were first assured the Protestants would come to the Council, it being certain that if they persisted in their Obstinacy this Examination would be useless, since their Catholics would not need it, and the Protestants would laugh at it, yet no Body opposed it, because the Imperialists had desired the Fathers to suffer the Article of Communion under both Kinds to be examined, hoping; that if they could get the Cup to be allowed, it would be a means to make the *Germans* more tractable.

Several Opinions
concerning
the manner
of
handling
the Questions
of the
Communion
under
both kinds.

When they had agreed to treat of these 6 Articles, and that it was ordered that the Divines should give their Opinions first, and all the Bishops afterwards, they found that it was as much as they could do till next Session to hear the Divines who were about 87 or 88 all *Italians* and *Spaniards*, excepting 3 or 4 *Germans*. Some therefore said, that the Matter having been digested in *Julius III's* time, they needed only take the Points that were then decided, and go them over again, with a good and short Examination, and so go to the Business of Reformation at leisure; and that the Article of Residence being almost digested already, it was very reasonable that they should give it their last hand forthwith. This Opinion was seconded by XXX Prelates, who declared their Minds concerning it openly. Cardinal *Simoneta* said, it was not proper to resume that Argument, since their Minds which were heated already by the former Disputes, were not recovered of their Agitation, which would not suffer them to discover the Truth as they should do. *John Baptistista Castagna*, Archbishop of *Rossano*, and *Pompeo Zambeccari*, Bishop of *Sulmo*, spoke upon this occasion with so much Passion, and in such rude Terms against the Fathers that were for Residence, that they made a noise which might have caused a Disorder, if the Cardinal of *Mantua* had not by his usual Prudence calmed those that were for Residence, by promising them that this Matter should be regulated in the next Session, or at least when they treated of Ecclesiastical Orders. Cardinal *Simoneta* was offended at the Cardinal of *Mantua's* Promise, and complained that he made it without acquainting his Colleagues, and wrote against him to the Pope.

Articles of
Reformation
proposed
by the Em-
peror's
Ambas-
sadors.

June 7. The Emperor's Ambassadors, who were overjoy'd that they had got the Business of the Concession of the Cup to be debated, which was an Article they would not meddle with before, went to the Legates, and pursuant to their Master's Instructions, they proposed the twenty following Demands concerning Reformation.

1. That the Council should begin with Reformation of Manners, and especially with the Abuses of the Court of *Rome*: The Emperor on his part submitting to any Reformation.
2. That the number of Cardinals be reduced to 26 at most, according to the Council of *Basil*.
3. That the Pope for the future shall grant no more scandalous Dispensations.
4. That Exemptions against common Law shall be revoked, and all Monasteries submitted to Bishops.
5. That Plurality of Benefices be taken away, Schools establish'd in Collegiate Churches, and Ecclesiastical Offices no longer framed out.
6. That Bishops shall be forced to reside, and not do their Duties by their Vicars; and that if there be not enough, the Business shall be divided, and not left to one single Vicar; that they shall hold a Synod every Year, and visit their Diocesses.
7. That no Fees shall be taken for administering the Sacraments; and that poor Curates shall be helped with simple Benefices.
8. That the Canons against Simony shall be revived.
9. That it be declared, that Ecclesiastical Ordinances do not oblige *Jure Divino*.
10. That the Excommunica-

- tion be used only for mortal Sins, and for manifest Irregularities.
11. That Prayers and Divine Offices be performed in the vulgar Tongue.
12. That Breviaries and Missals be corrected.
13. That the Clergy and Monks be reformed according to ancient Institution, and their Revenues better administered.
14. That it be consider'd whether the numerous Obligations *Jure positivo* ought not to be lessened, by abating something of the rigor of the Fasts, and permitting the Communion under both Kinds.
15. That Marriage be permitted to the Clergy.
16. That to remove all Differences, all those various Postils and Annotations upon the Gospels be struck out, and others put in their stead which shall be approved by publick Authority, and a new Ritual made, for the Use of the whole Church.
17. That Means be found to chastize vicious Priests, and to put others in their Rooms.
18. That in great Provinces, new Bishopricks be erected and endow'd with the Revenues of rich Monasteries.
19. That as for the Revenues of the Church, which are usurp'd already, it be dissembled, and they have Patience for the present.
20. That the Legates take care that no useless Questions; or such as may cause Scandal, be proposed.

Legates
Answer.

When the Legates had read these Propositions, they were exceedingly surprized, and withdrew to consult upon them by themselves: When they came back, they replied that the Articles which were proposed were a great many, and upon very different Subjects; that consequently they could not be all examin'd at one time: That besides, they could not now prepare any Matter for next Session, but that of the Cup, which they were willing to examine at the Ambassadors desire; but that as Opportunity served, they would communicate those Articles to the Fathers which might relate to other Points of Reformation. The Ambassadors saw this was said to keep them from publishing their Paper in a Congregation, and to elude the Emperor's Demands with Delays: However they took no notice of it; but when they were gone, they resolved to inform the Emperor, both of this Matter, and of the Manner how the Council was managed; and accordingly next Day the Archbishop of *Prague* took Post, that he might be back again before the Session.

Archbi-
shop of
Lanciano
sent to
Rome, by
the Legates.

The Legates seeing what Difficulties offered themselves, thought it adviseable to acquaint the Pope fully of what had past, and of all that they foresaw might follow. They chose for this purpose *Leonardo Marino*, Archbishop of *Lanciano*, a Man of Sense, and one agreeable to the Pope, who was his Benefactor, and besides a great Friend of *Seripandus's*; and gave him in charge to defend them to his Holiness, and to calm his Spirits. Cardinal *Simoneta* refused to sign the Letter of Credence of this Archbishop, long, and would not have done it at all, if the Legates had not agreed together, that besides his Letter of Credence, that Bishop should carry particular Letters from every Legate. He wrote therefore to the Pope, that he had a mind to have sent the Archbishop of *Rossano* as from himself, to give his Holiness a more exact Account. But that when he had considered of it, he thought it was more convenient to see first what Success the Archbishop of *Lanciano's* Negotiation would have.

Before that Prelate arrived at *Rome*, the Pope, who had several Advices from the Council, held a Consistory, in which he proposed to make a League with all the *Italian* Princes, and the King of *Spain*, to make War upon the *Hugonots*, and to give Occasion for a Rupture, or at least a Suspension of the Council. This Proposition was approved: The Pope then proposed to declare the Council to be continued by his own Authority, and to decide concerning Residence. Cardinal *Carpi*, who was seconded by most of his Colleagues, remonstrated, That it was neither his Interest, nor the Interest of the Holy

The History of the Council of Trent.

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See, that he should make any odious Resolutions which might alienate the Minds even of his own Party ; and that he had better leave it to the Council to decide about them. Then the Pope complained of all the Ambassadors : He said *Lansac* seem'd to be an Ambassador of the Hugonots, when he demanded that the Queen of England, the Protestant Cantons, Saxony and Wirtemberg might be heard in the Council, though they were all Enemies and Rebels, who sought only to break the Council, and to make it Hugonot ; but that he would keep it Catholick, though it were by force ; That that Minister and his Colleagues supported some Persons who set the Council above the Pope, which was an heretical Opinion, maintain'd by Hereticks, whom as such he would persecute and punish. He added likewise, That these Ambassadors lived like Hugonots, and did not salute the holy Sacrament ; That *Lansac* said at his own Table, before several Prelates that dined with him, that they should drive out that Idol of Rome. Then he complained of *Dandolo*, one of the Venetian Ambassadors, and said, he would demand Justice of the Senate and the Republick. Afterwards speaking against the Cardinals of Mantua, Hosius and Scipandus, he said they were unworthy of the Purple ; and to shew his Resentment against the Cardinal of Mantua, for the Promise that he made, that the Business of Residence should be decided, he no longer directed his Dispatches to him, but address'd them to Cardinal *Simone* ; he also removed Cardinal *Gonzaga* from the Congregation, which was to direct the Affairs of the Council, and ordered Cardinal *Borromée* to tell him, That his Uncle the Cardinal of Mantua was for ruining the Holy See ; but that all the Evil would fall upon him and upon his Family.

Monseigneur de Lisle failed not hereupon to acquaint Monsieur de Lansac with the Complaints which the Pope made against him and his Colleagues in the open Consistory ; as also to write to the King, to whom he sent Word, That in a particular Audience which he had with the Pope, His Holiness told him ; ' That the French Ambassadors principally supported themselves upon the Authority of the Council, and that in his most Christian Majesty's Name they maintain'd that the Authority of the Council was above that of the Pope ; That he had made answer, That the French Ambassadors did indeed chiefly recur to the Council, in the Demands which they made, because when His Holiness called the Council, he transferred all his Authority to them : But that the Pope made answer, That that was false, and that he had always reserved his own Authority to himself.

Monseigneur de Lansac's Letter to the Pope.

Monseigneur de Lansac having received Monseigneur de Lisle's Letters, wrote a Letter to the Pope, by the Cardinal of Mantua's Advice, to justify his Conduct ; and another by Monseigneur de Lisle, which he desired him to read to the Pope, in which he tells him, ' That he is extremely surpris'd that His Holiness should let the Word *Hugonot* slip out of his Mouth, when he spake of the Ministers of a most Christian King, who gives himself so much Trouble, and takes so much Care throughout his Kingdom to preserve that Title, and to keep his Subjects in the Obedience of the Holy See : That this was injurious to his Majesty, and shew'd small Respect for his sacred Person : That as for himself, he was well enough known, throughout all Christendom, to be a Man of Honour and a good Christian, and so might be honoured with a much better Title than that of Hugonot : That the Court of Rome took an ill Method to requite the Services which he had for these 12 Years last past paid to the Holy See, as well in France, with all the Legates and Ministers of the Pope who came thither, as at Rome when he was Ambassador there, and in several Journeys which he had made thither, and also in the last War which was in the Ecclesiastical State,

where he commanded with the late Marechal *Strozzi* : That his Colleagues ought also to be exempted from that Calumny, since if they were Hugonots, the Queen would not have given them such considerable Employments as they were possessed of ; and that no Man could say, that the French Ambassadors that are at Trent, do not live up to the Laws of God, and of the Church. He said, besides, That he was no less amazed, that his Holiness should say, That the French Ambassadors set the Authority of the Council above his, since they never negociated nor did any thing which could give him occasion to think so, since they had never asked any thing of the Council, but in general Terms, and without entring at all into Particulars, unless it was to desire them to labour to appease the Troubles of Christendom, with that Liberty and Authority which the Pope had positively declared to have given them without any Limitations : That he did not know how the Pope could, without being wanting to the Consideration due to his most Christian Majesty, and to the Character of his Ambassadors, assert that they behaved themselves like Hugonots, in not saluting the holy Sacrament : That if it were so, it were much properer for his Holiness to cause Informations to be taken of it, and send them to the King, that he might punish them as they deserved, and not calumniate them so freely : That he was surpris'd the Pope should believe what had been told him, That Monsieur de Lansac had said at his Table, that there would come so many Bishops out of France and Germany, as would drive out the Idol of Rome, since his Holiness might be sensible, by the Respect which he had paid him, that he was not capable of suffering such Discourses to be held in his Presence, much less of holding such himself : That, lastly, neither he nor his Colleagues deserved to be called Ambassadors of Hugonots, since they had proposed nothing on their Behalf ; That they had indeed, in some familiar Discourses with some Bishops, said, That the English Ambassador had declared to Queen Catherine de Medicis, that the Queen of England his Mistress would send to the Council ; and that several Protestant Princes would do the same after her Example, if they would stay a little longer ; and that they had represented this as a thing of great Advantage ; That for this Reason they thought slow Methods, without any Precipitation, were most advisable ; but that no Man could say that they had made any Sollicitations, or publickly demanded any Delay in favour of the Hugonots. Monsieur de Lansac also, in his Letter to Monseigneur de Lisle takes notice that the Cardinal of Mantua intended to beg leave to retire from Trent, not being able to bear being calumniated, when he had done his Duty with all possible Care ; and since his Retreat might cause great Disorder in the Council, he prays him, for the sake of the Publick, to use all imaginable Dexterity to hinder the Pope from granting the Cardinal that Leave which he desired to retire from the Council, and especially to take care that the Pope should not know that he wrote in the Behalf of the Cardinal of Mantua, because he did not question, but the good things which that Cardinal's Merit obliged him to say, would be taken in an ill Sense at the Court of Rome.

When the Pope had received Monsieur de Lansac's Letter, and heard that which he wrote to Monseigneur de Lisle in his own Defence, read to him, he seem'd satisfied ; as he was also with the Cardinal of Mantua, who had sent one of his Relations to Rome, to give an Account of his Conduct ; and particularly because *Visconti* had sent Word to Cardinal *Borromée*, That no Man could carry himself with more Wisdom and Moderation in Business than the Cardinal of Mantua had done ; That it was to be feared, if the Pope recalled him, the Council would fall into Confusion, and that his Holiness would incur thereby the publick Indignation : That there would

Justification of the Cardinal of Mantua.

The History of the Council of Trent. would be need of a great deal of Time before the Legates whom he could send, or those that were at Trent already, would be as much confided in by the Ministers of Princes, and by all the Prelates, as the Cardinal of Mantua was.

The Archbishop of Lancia, whom the Legates sent to the Pope to give him an Account of the Affairs of the Council, coming about that time to Rome, his Holiness fell into new Uneasinesses, and greater than the former: For that Archbishop told him two things very opposite to his Sentiments and Intentions. First, That the Bishops were resolved, next Session, to declare Residence to be of Divine Right: Secondly, That the Prelates were resolved, at any Rate whatsoever, to put an end to all Matters relating to Doctrines and Reformation of Manners; so that there was no likelihood that the Pope could either dissolve or suspend the Council at this Time. But his Holiness recover'd from this sudden Fright, when he had reflected a little upon the Letters which the Archbishop of Lancia brought him from several Bishops, wherein they declared that his Holiness might either dissolve or suspend the Council; That they were sorry that he was uneasy at their maintaining Residence to be of Divine Right; That they did not think their Opinion was against his Authority, and that they were ready to defend it against all the World. The Archbishop of Lancia also represented to the Pope, That the Cardinal of Mantua was forced to make the Promise which his Holiness complained of, to put by a violent Tempest. Upon this the Pope sent back the Archbishop of Lancia immediately with Letters to the Legates, commanding him to tell all the Fathers in his Name, That he designed the Council should be free, That every Man should speak there according to his Conscience, and that the Decrees should be drawn up according to Truth; That he did not take it ill that Men should vote more of one side than another; but that he was sorry that they should enter into Cabals to force Mens Thoughts; as also that there was Sharpness and Quarrels among them; these things not agreeing with the Dignity of a general Council: That consequently he did not in the least oppose the Decision of the Article of Residence, but only advised them to lay aside that Heat, which had carried them too far, for the future, since that Matter would be treated of more successfully when their Minds were more calm. He gave that Archbishop, besides, a particular Letter for the Cardinal of Mantua, written all with his own Hand, in which he told him, that he owned his Innocence and Affection with extream Pleasure, and that at all Times, and in all Places, he would give him Evidences of his Good-will and Esteem, commending to him to make as quick an end of the Council as he could.

But notwithstanding this obliging Letter from the Pope, the Cardinal of Mantua persisted to desire leave to retire from the Council, saying, that he could not stay there but upon these three Conditions. First, that the Pope should cause exact Informations to be taken of those things concerning which he was calumniated. Secondly, that if he was innocent, and his Holiness would not punish those that slander'd him, yet that he would at least not hearken to the false Reports which might be spread concerning him, before he was condemn'd; and if he was guilty of failing in his Duty towards his Holiness, and of not supporting the Honour of the holy See as he ought, that he would punish him as he deserved. Thirdly, that his Holiness would be so good as to ease him of that heavy Burden, so soon as he had an Opportunity, it lying upon him to conduct and manage the Affairs of the Council, whilst he himself found a Decay both in Mind and Body every Day; and that his Holiness might do this, having an Example before him in Cardinal Pole.

Vicenti, who wrote at the same time to Cardinal Borromée, sent him word, that if the Pope would let the Cardinal of Mantua know that he had an entire

Confidence in him, it would be sufficient to engage that Cardinal to stay at Trent, and to take care of the Council. This Method the Pope took; and so the Cardinal of Mantua staid at Trent, and continued to preside in the Council till he died.

June 10. they began to hear the Divines upon the six Articles; and that lasted till the 23^d. There were 63 Divines, who were not contented to repeat the same things which had been several times canvass'd already, but would still dispute and attack the different Opinions of the rest.

Alphonfus Salmeron, as Pope's Divine, spake first, and gave his Opinion upon the first and second Articles; namely, whether all the Faithful were obliged to communicate under both Kinds, and whether the Church had reason to lay aside one? In the first place, he said, it was certain that the Church could not err, because it is the Basis and Pillar of Truth; and consequently since the Cup has for a considerable time been forbidden to the Laity, pursuant to the Councils of Constance and Basil, it was certain, that Communion under both Kinds was not of divine Obligation. Then he proved by several Examples taken from History, that the Eucharist was given in the most ancient times without the Cup; and in answer to the Objections taken from Scripture, he said, that tho' Jesus Christ gave the Communion under both Kinds in the last Supper which he made with his Disciples, yet it does not follow, that we are bound to receive it also under both Kinds, because we are not obliged to follow all the Actions of Jesus Christ in every Circumstance, but only in those which are commanded us in Scripture, and by the Tradition of the Church: Now as Jesus Christ gave the Cup to the Apostles, who represented the Priests, commanding them to do that in Remembrance of him; so ought the Priests also in that Circumstance, in the Action of the Sacrifice, to take the Sacrament under both Kinds: But Jesus Christ not having said to the Laity, Do this in Remembrance of me, they are not obliged to it; and the Church may take from them the Use of the Cup. He added, that we cannot conclude from the sixth Chapter of St. John, that all the Faithful are bound to communicate under both Kinds, since Jesus Christ in the same Chapter speaks sometimes of drinking his Blood, sometimes of eating his Flesh, in such a manner, as sufficiently gives us to understand, that he does not exact Communion under both Kinds of the Faithful.

Upon the third Article he said, that there was no Reason to doubt, but he that receives under one Kind, receives as much as he that receives under both, since Jesus Christ is entire under either: That this was a thing decided by the Councils of Constance and Florence, and confirmed by the Practice of the Church, which exposes the Sacrament only under one Kind to be adored by the Faithful: That as to the Grace received, it was equal whether the Sacrament be receiv'd under both Kinds or under one; that if less Grace was receiv'd when Men receiv'd under one Kind, then we must believe that the Church would deprive its Children of the greater Grace, when it took away the Cup. Upon the last Article, namely, whether the Eucharist should be given to Infants? he gave no Opinion at all.

Jacobus Paiva Andradius, Divine to the King of Portugal, said much the same things that Salmeron did upon the first Article; that Jesus Christ, by his Precept, and by his Example, declared that the Bread ought to be given to the Laity, and the Wine only to the Priests, because when he consecrated the Bread, he gave it to the Apostles, who were yet Laymen, and represented the People, commanding them all to eat of it; and that he afterwards made them Priests by these Words, Do this in Remembrance of me; after which he consecrated the Cup, and gave it to them, as to Men newly ordained. Several Doctors reasoned otherwise, and said, the Church received a Power from Jesus Christ, to change the accidental Things in the Sacrament, and that the Eucharist,

rist, as a Sacrifice, required the Use of both Kinds; but that as a Sacrament, it required only the Use of one; so that the Church might order the one to be administered without the other, just as at the Beginning it once changed the Form of Baptism, and gave it only in the Name of Jesus Christ, after which it return'd to the divine Institution; that is to say, to the Invocation of the Trinity. They drew another Argument from the Infallibility of the Church; which, said they, introduced the Use of Bread alone, and then approved it in the Council of *Constance*; and so there is no divine Precept, and consequently no Obligation to the contrary.

Antonio Mandolfo, an *Augustinian* Monk, Divine to the Archbishop of *Prague*, after having declared that he agreed with the other Doctors, that there was no divine Precept concerning this Matter; remonstrated, that it was equally contrary to catholic Doctrine, to refuse or grant the Cup to the Laity by virtue of a divine Command; and consequently, that the Reasons and Examples of the Disciples at *Emmaus*, and of *St. Paul* upon the Sea, ought to be set aside, since from them it might be concluded, that Consecration under one sole Species was no Sacrifice; which is contrary to the Opinion of the Church, and destroys the Distinction of the Eucharist as a Sacrament, and as a Sacrifice: That as to the Difference between lay and sacerdotal Communion, it plainly appears by the *Ordo Romanus*, that that was only a Distinction of Rank in the Church, and not a Diversity in the Reception of the Sacrament: Besides, that it would follow from hence, that not only the celebrating Priests, but also all the Clergy ought to receive the Cup: That the Church's Authority to change Things that are accidental in the Sacraments, ought not to be question'd; but that this was not the Time to dispute whether the Cup were an accidental or a substantial Thing: Lastly, he was for letting this Article alone, as a Matter already decided by the Council of *Constance*, and for examining the fourth Article exactly; namely, whether the Reasons which induced the Church to give the Species of Bread only to the Laity, are still valid; especially seeing, that if the Cup were granted to all the Nations that demanded it, all the other Disputes would be superfluous, if not dangerous?

John Paul, an *Augustinian* Monk likewise, Divine to the Bishop of *Five Churches*, spake like his Brother: And they were heard uneasily, because it was believ'd they spake against their Consciences; this, at the Solicitation of the Bishop of *Five Churches*, and the other, according to the Orders which the Archbishop of *Prague* left with him before he went away.

Almante, a *Servite*, Divine to the Bishop of *Sebenico*, grounding upon *Cajetan's* Doctrine, said, the Blood was no Part of the human Nature, but only its first Aliment; and that it could not be said, that a Body is nourished by Concomitance: Thence he inferr'd, that what was contained under both Kinds, was not exactly the same with what was contained under one: Adding, that the eucharistick Blood was the Blood shed according to the Words of Jesus Christ, and consequently out of his Veins; or otherwise it could not be drunk, and so could not be united to the Body by Concomitance: And that Jesus Christ instituted the Sacrament in Memory of his Death, which was by the shedding of his Blood. The Divines hereupon crying out, he retracted, saying, the Heat of Disputation led him to urge his Adversary's Arguments as if they had been his own, but with an Intention of refuting them at last; as he did indeed in the following Part of his Discourse. Lastly, he begg'd pardon for the Scandal he had given, for want of explaining himself with sufficient Clearness; thereby to let them see that he was only relating the captious and sophistical Reasons of other Men, quite contrary to his own Opinion.

After these Debates, all the Divines agreed, that Communion under both kinds was not of Divine

Right. They all agreed likewise, that the Priests were obliged to consecrate under both kinds; except one *Portuguese* Doctor, who consented not to the last Article, founding what he said upon the Authority of *Innocent II.* *Albertus Magnus*, *Johannes de Turrecremata*, and upon the Relation of *Rafael Volaterranus*, who affirmed, that *Innocent VIII.* dispensed with the *Norwegians* consecrating under the Species of Wine, because there is none to be got in that Country.

Upon the fourth Article, Whether the Reasons that induced the Church to give the Eucharist to the Laity, under the Species of Bread alone, ought to be valid still? the Doctors of several Nations were divided. The *Spaniards* and *Italians* said, That all the Reasons for which the Church took the Cup away from the People were still in force, and that there were new ones more strong and more substantial; so that the Ordinance of the Church, and the Decree of the Council of *Constance*, ought still to be observed: That Irreverences were more to be feared than ever, since if formerly all Men firmly believ'd the Real and Natural Presence of Jesus Christ in the Eucharist as long as the consecrated Species remained, and yet they took away the Cup, because the Blood of Jesus Christ was not receiv'd with all that Reverence that was requisite; what can be expected in a Time when some denied the Real Presence, and others owned it only in the Use; when the best Christians have no longer that ancient Fervor, and when their Inclination to the Things of the World is come to such a head, that they scarce mind Divine Things any longer? That it was to be feared, that so great a Negligence would draw after it greater Irreverences than ever: That it was very necessary to distinguish the Priests from the Laity, especially since the Protestants had rendred them odious to the People, and spread a Doctrine which takes away all their Privileges, which submits them to the secular Magistrates, nay even to the People, by whom they would have the Priests to be called to the Ministry, and to whom they give Authority to depose them; and lastly, which deprives them of the Power of absolving Penitents: That there was Danger, lest the People might out of Simplicity think there was something more in the Wine than in the Bread: And lastly, That it was to be feared that the Authority of the Church would be despised, and the People would fancy that it erred when it took away the Cup: That the Protestants demanded the Cup with so much Vehemence, only upon a Thought, that if it were once granted, they might look upon that as a Victory got over the Catholics. On the contrary, the *German* Doctors affirm'd, That the Opinions of their Brethren ought not to be so misinterpreted; and that it was a Mistake to think the Protestants would be quiet if the Cup were refused: For since they said already, that the Church has erred; they would say now, that it has added Obstinacy to its Fault: That since the Question was only now about humane Constitutions, it was neither a new nor an indecent thing for the Church to change: That the same thing is not always reasonable: That infinite Numbers of Usages and Practices in the Church have been taken away: That the Council would lose nothing of its Reputation, for believing that to be useful in Practice, which the Event has shewn to be useless.

None but the *Germans* spake to the fifth Article, namely, Upon what Conditions the Cup might be granted to some Persons, supposing there were just Reasons for granting it: For those that were against granting it at all, had nothing to say. Some were for granting it upon the Conditions agreed to by *Paul III.* which were, That those who would have the Cup, should confess that one Species alone contains as much as both together; and that as much is receiv'd under one as under both; and that they should return besides to the Obedience of the Holy See. Others were for having the Use of the Cup per-

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permitted, to keep those that wavered within the Church; and for seasoning this Concession in such a manner, as that it might procure the desired Effect: They said, that *Paul III's* Conditions would be so far from procuring it, that they would make all weak Minds relapse into *Lutheranism*: That *St. Paul* expressly recommends the receiving those that are weak, not by disputing, or prescribing Rules to them, but only by waiting for some good Opportunity to instruct them more thoroughly: That if such or such Things were prescribed to the *Germans* to be believed, their Heads would be filled with Difficulties; and whilst they were wavering through a Diffidence of what they should believe, and what they should not, they might precipitate themselves into some Errors, which otherwise they would never have thought of. To this they added, that the believing that the Church had just Causes of taking the Cup from the Laity, and then granting it to them under other Conditions, would be to confess that it took it away without a Cause: Whence they concluded, that instead of Conditions, they would do better to find out Remedies for those Inconveniences, upon the Account of which the Cup was taken away: For Instance, that the Cup should never be carried out of the Church; that the single Species of Bread should be given to the Sick; that the Wine should not be kept, lest it should turn sour; that they should use Pipes, as they did formerly in the Church of *Rome*, for fear of spilling; that it would appear, by these Regulations, that the Use of the Cup was taken away for good Reasons; Reverence to it would be excited, the People and Prince would be contented, and weak Minds would be recover'd.

Opinion of Divines, concerning the communion of Infants.

The Divines gave their Opinions upon the sixth Article in few Words, saying, that the Eucharist is not a necessary Sacrament; and that *St. Paul's* Precept to those that are desirous to receive, *To examine themselves first*, evidently shews, that it ought not to be given to those that have not the Use of Reason: That if the contrary was anciently practised in some Places, it was in Places, and at Times when the Truth was not well discover'd, and consequently that the Council might command the present Usage to be observ'd. Some thought that Antiquity ought to be treated more respectfully, and not to be taxed with Ignorance.

Desiderius of *Palermo* a *Carmelite*, was single in his Opinion, that that Article ought to be omitted, since the Protestants had not touched upon that Difficulty; because if it should come to be known that it had been proposed in the Council, it would excite the Curiosity and the Reasonings of several People, since the Question had some Probability on both sides: That the Exception of Infants could not be founded upon *St. Paul's* Precept of Self-examination; because the Scripture requires that Baptism itself shall be preceded with a sufficient Instruction in the Mysteries of Faith: That since that Command is restrained to Adults alone; and since Infants are not excluded from Baptism, tho' they are not of Age to apprehend it; it may be in the same Manner said, that the Obligation to examine ourselves before the Communion, relates only to Adults; and consequently that the Eucharist ought not to be refused to Infants.

Legates inclinable to grant the Communion under both kinds to the Germans.

When the Divines had spoken, the Legates were inclinable to grant the Cup to the *Germans* under *Paul III's* Conditions, and with adding some others. When they had withdrawn therefore with their Confidants, they drew a Decree to that Purpose upon the first, fourth, and fifth Articles; setting the others aside, that the Divines might examine the Difficulties that were proposed, at leisure: And when they had called in the Prelates, they asked them, if they were willing that the three Decrees drawn up in the first Congregation should be proposed for them to give their Opinions upon?

Opposition of the Archbishop of Granada.

The Archbishop of *Granada*, who saw the Le-

gates Drift, and who was very averse to the Concession of the Cup, said, the Order of the Articles ought to be follow'd which was essential; it being impossible to come to the Decision of the fourth and fifth Articles, till the second and third were decided. *Thomas Stella*, Bishop of *Justinople*, replied, that they need not proceed like Logicians in the Council, nor hinder any just Deliberations. The Archbishop of *Granada* made Answer, that he desired only to have Order kept, and Confusion avoided. *Mutio Callin*, Archbishop of *Zara*, seconded that Archbishop. *John Thomas St. Felix*, Bishop of *Carva*, took *Stella's* Part: So that the Cardinal of *Mantua*, seeing that the Prelates began to grow hot, took that Opportunity to dismiss the Assembly, and desired the Archbishops to read and examine the Minutes of the Decrees; and promised that the Order which ought to be observed, should be regulated in another Congregation.

Augustine de Bawmgartner, Ambassador of *Bavaria*, who had stay'd two Months at *Trent*, as a Private Man, because of the Precedence which he claimed of the *Venetian* Ambassador, resolved to appear as an Ambassador; protesting only that it was upon the Account of Peace, and without Prejudice to his Rights: Of which when had given Notice to the Legates, he was admitted to the Congregation; where he protested, that the Precedence was due to the Duke his Master, because the Electoral Dignity was in his Family, as the Imperial had been formerly. *Nicolas de Ponte*, the *Venetian* Ambassador, protested on the contrary, that it was neither for Favour nor Affection that he took the first Place, but of Right and Justice; not provisionally, but perpetual. They both demanded that their Protestations might be registred; and the Quarrel went so far, that the *Bavarian* Ambassador refused to give a Copy of his Speech, because he knew that the *Venetian* Ambassador had not given a Copy of his. The Substance of what he said was this: 'That his Country was environ'd with Hereticks, who had got footing in it already: That there are Numbers of *Zuinglians*, *Lutherans*, *Flaccians*, *Anabaptists*, and other Sectaries among them; and that the Bishops could never root out this Infection, because it was spread among the Nobility as well as the Common People: That this Evil principally proceeded from the ill Lives of Churchmen, whose Filthinesses and abominable Crimes were not to be related, without wounding the Chast Ears of that Auditory: That he had nothing to do, but to acquaint them, that it would be to no Purpose to purge the Doctrine, unless they reformed Manners first: That the Clergy, were become infamous by their Disorders: That the Magistrates and Civil Government of the Duke of *Bavaria*, his Master, suffered no Subjects that were Concubinaires; and yet that this Vice was so general amongst the Clergy, that one could hardly find three or four Priests out of a Hundred, who did not live in Concubinage, or in Clandestine or Publick Marriage: That several had left the Church, only because the Cup was taken away, saying, the Word of God, and the Usage of the Primitive Church, which was still preserved in the Churches of the East, obliged them to receive it: That when *Paul III.* granted it to all *Germany*, the *Bavarians* complained of their Prince, who deprived them of that Liberty. He protested, that if the Council did not give some Assistance, his Master could keep them in no longer, and would be obliged to permit that which he would not have Strength to remedy. To remove the Scandal of the Clergy, he said, there was no other way, but to make a good Reformation, and to establish some Schools and Universities in Diocess to be Seminaries for good Ministers. He demanded the Marriage of the Clergy as a thing without which the Reformation of the present Clergy was impossible; alledging, that Celibacy was not of Divine Right, and besides, that

Dispute between Ambassadors of Bavaria and Venice for Place.

Ambassador of Bavaria's Harangue.

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good Catholics in *Germany* prefer'd a chaste Marriage to an impure Celibacy. He added, that if Communion under both Kinds had been permitted, several Provinces in *Germany* had continued in the Obedience of the Holy See, and that those that had persevered in it hitherto, began to separate, suffering themselves to be carried away by the Violence of the Torrent, as well as other Nations: That his Master did not propose these Remedies with any Hope of reducing the Sectaries, that were gone astray, into the Church, but only to keep those in that had not yet separated. He repeated what he said of the Necessity of beginning with the Reformation of the Clergy, without which, the Council would lose all its Labour: That when this Reformation was effected, if his Master's Opinion were ask'd concerning any Points of Doctrine, he then might perhaps say something which would deserve Consideration; but that this was not the Time, since Prudence required them to fortify and strengthen themselves well at home, before they made War upon their Enemies: That he did not pretend thereby to give Law to the Council, but with all possible Respect to point at what he judged to be most convenient.

Promoter's Answer to the Bavarian Ambassador.

Tho' this Discourse of the *Bavarian* Ambassador was very free, and even more so than that of the *French* Ambassador's; yet the Answer which the Promoter of the Council made upon the Spot, was very gentle and obliging. For he answer'd them thus: 'That since the Fathers had long expected some Prince or some Ambassador from his Nation, and particularly from the Duke of *Bavaria*, whom they looked upon as the Buckler of the Apostolick See in *Germany*; so they saw his Ambassador with a great deal of Joy, and would endeavour, as they had done already, not to fail in any thing which might be for the Service of God, and the Salvation of Souls.'

Memorial of the Emperor's Ambassadors, concerning the Concession of the Cup.

The Emperor's Ambassadors, who understood that all the *Spaniards*, and almost all the *Italians*, had given their Opinions in the Congregations, against granting the Cup; and that several had even called those Hereticks that demanded it; presented a Writing in this same Congregation, in which they answer'd this Accusation, and all other Objections which were made to it. The Substance of it was this: That in order to acquit themselves of their Duty, they thought themselves obliged to remonstrate to the Fathers, before they gave their Opinions, that the Divines had spoken very well as to the Interests of their own Countries, but very little to the Purpose of those of other Kingdoms and Provinces: That the Fathers therefore ought so to give their Opinions, as that they might apply Remedies, not to the well Parts that have no need, but to the Sick that want it: That therefore they ought to know in what Parts the Disease lay most: That as for the *Bohemians*, they need not go very high, nor speak of what was treated upon at the Council of *Constance*; but only observe, that since that Council, neither Gentleness nor Force, nor War it self, could make those People part with the Cup: That the Church, out of its Goodness, granted it to them upon certain Conditions; but those not being performed, *Pius II.* took it away again: That when *Paul III.* and *Julius III.* were desirous to regain that Kingdom, they sent Nuncios to give them the Cup; which however was not effected, because of some Difficulties that arose: That towards the Year 1350. the Emperor *Charles IV.* of the House of *Luxemburg*, having, by virtue of some Bulls which he obtained of *Clement VI.* erected an Archbishoprick at *Prague*, at his own Expence; and having obtained of the States of *Bohemia*, that the Priests who were called *Calixtines*, because they gave the Cup, should own that Prelate for their lawful Pastor, and receive Ordination only at his Hand, his Imperial Majesty desired the Pope not to let so fair an Occasion of recovering that Kingdom slip: That his Holiness

refer'd all to the Council, and consequently that the Fathers had it entirely in their Power to preserve that Kingdom, by granting them the Cup: That the Faith of these People was very little different from the *Roman*, since they would never suffer Priests that were married, or that were ordained by Bishops that separated from the Communion of that Church; and named the Pope, the Cardinals, and Bishops, in the publick Prayers: That if there were some little Difference in their Doctrine, it might easily be corrected, provided they were not denied the Cup: That it was no strange thing for an ignorant People to imbibe such an Opinion, since pious and learned Catholics maintain'd, That more Graces were obtain'd in the Communion under both Kinds, than in the Communion under One alone: That therefore they prayed the Fathers to take care, lest too much Rigor should throw these People into Despair, and make them cast themselves upon the Protestants: Adding, that there were Catholics in *Hungary*, *Austria*, *Moravia*, *Silesia*, *Carinthia*, *Carniola*, *Stiria*, *Bavaria* and *Suabia*, who earnestly desired the Cup; and that *Paul III.* had for this Reason promised the Bishops it should be granted: That it was to be feared, that these Catholics would turn Lutherans, if it were denied them by the Fathers: That the Divines had made a Question in their Disputations, whether those that asked for it, were not infected with Heresy? Whereas their Master pretended to obtain it only for the Catholics: That by this Concession they might yet hope to bring back the Protestants, since some of them have declared already, that they were weary of so many Novelties, and would be converted; but that without this, the quite contrary was to be expected. 'One, said they, enquired some Days ago, who it was that ask'd for the Cup? It is the Emperor himself, who still desires it; and the Ambassadors from the Clergy of *Bohemia*; and had not that People had Hopes to obtain this Favour, there would not have been any Catholics left in the Kingdom.' In *Hungary*, the Priests are constrain'd, by the Loss of their Goods, and by the Fear of Death, to give the Cup; and the Archbishop of *Gran* having chastized some for doing so, the People are without Ministers, and consequently without Baptism, and are fall'n into a profound Ignorance of the Christian Doctrine; which is the high Road to Paganism. This Paper concluded with a Prayer which the Ambassadors made to the Fathers, wherein they conjured them to have Pity upon those People, and to find out Means to keep them in the Faith, and to bring back those that were gone astray.

At the Close of this Congregation, the Legates gave out Minutes of the Decision of the four first Articles.

The following Days, the Fathers examined the third Article, namely, whether the Body of Jesus Christ be received entire under the single Species of Bread? The Archbishop of *Granada* said, That Question had been determined under *Julius III.* and if they should judge it over again, it would be to declare, that this Council is not a Continuation of the former; and then they might as well review all the Determinations which had been hitherto made at *Trent*.

Cardinal *Seripando*, though he was for the Continuation of the Council, said, There was a great deal of Difference between what had been judged under *Julius III.* and what was now to be decided: That the Hereticks had fall'n into two Errors, in the Matter of the Eucharist; the first about the Matters contained in the Sacrament, and the second concerning the Use of the Sacrament: That the first was condemned under *Julius III.* the Council having declared, that Jesus Christ was really present: That now they were to condemn the second, because *Luther* affirmed, that the Church forsook the Commandment of Jesus Christ, when it gave but one of the Species to the Faithful. Upon this Occasion he pro-

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Opinion upon the Question, Whether the Body of Jesus Christ is entire under each kind?

produced *Luther's Words*. Several were of Cardinal *Scripando's* Opinion; but others said, he refined a little too much. The Patriarch of *Venice* added, that they needed not spend any Time in examining whether this Question had been decided under *Julius III.* since the same thing was decided under that Pope, which had been decided in the Council of *Florence*: That it was sufficient that the Council found some Error in *Luther's Writings*, to condemn it, if it could be, in this new Council, in much stronger Terms. Every Man follow'd his Opinion.

The Fathers disputed more upon the second Part of this same Article, namely, Whether more Grace is received when Men communicate under both Kinds? The Majority were for declaring, That as much Grace is receiv'd when we communicate under one Kind, as under both: But some having represented, That the Council of *Constance*, according to the Report of the learned *Gerson*, would pronounce nothing upon this Question, it was concluded, that it was sufficient to say, that Jesus Christ is received under one single Kind, and that he is the Fountain of all Graces; notwithstanding the Remonstrances of Cardinal *Hofius*, one of the Legates; and of the Bishop of *five Churches*, one of the Ambassadors; who said, That if this Question were not decided, and it was not declared, that as much Grace was received under one Species as under two; the People would persuade themselves, that when the Church took away from them the Cup, it likewise took away the Means of their receiving more Grace.

In the Congregation of *July 4.* the *French Ambassadors* presented a Paper, in which they exhorted the Fathers to grant the Cup; saying, that in things of positive Right, as this is, they ought not to be so stiff, but rather to relax and yield to the time, for fear of scandalizing the World, by shewing so much Obstinacy in causing the Commandments of Men to be observed, and so much Negligence in observing those of God, in avoiding Reformation. Then they desired that their Decree might be formed in such a Manner as might not prejudice the Privileges which the Kings of *France* claim, to receive the Cup when they are consecrated; nor the Custom of some Monasteries in the Kingdom, in which it is so administred at certain Times.

Nothing however more was done in that Congregation, than the proposing six Chapters of Doctrine to be treated of in the ensuing Congregations. When the Legates had read the *French Ambassadors* Memorial, they were mightily surprized, because they saw their Union with the Imperialists and *Bavarians*; and they concluded, that the Concession of the Cup would draw after it a Demand for the Marriage of the Clergy, especially since *Frederick Cornaro*, Bishop of *Bergamo*, had acquainted them, that the *Sieur de Lansac*, being at Table with several other Bishops, had conjured them to satisfy the Emperor in the Business of the Cup; and had given them to understand, that *France* desired to have Divine Offices celebrated in the vulgar Tongue, to have Images taken away, and Marriage allow'd to the Clergy: And since they knew, that it is easier to hinder the Beginning of an Evil, than to stop it in its Progress; they concluded, that this was not a proper Time to speak of the Cup: And they got *Pagnano*, the Marquis of *Pescara's* Agent, to desire that this Matter might not be ended, till the King of *Spain* had first Notice of it.

July 6. and 7. there was no Congregation; the Legates being desirous, before they went to examine the Decrees, to engage the Ambassadors to consent, at least, that they might stay some time before they determined about granting the Cup. They laid several Reasons at that time before the Imperialists, remonstrating in particular to them, that there was too little Time before the Session, to persuade the Fathers that that Concession was necessary. The Imperialists consented; but upon Condition, that the Delay which they were willing to yield to, should

be expressed in the Decree, with a Promise, that what related to the Cup, should be determined the first Opportunity. The Legates, who were glad that they had got the Imperialists to yield to this Delay, spake with the *French Ambassadors* about it, who were more ready than they believ'd they would be to consent to what they desired: For they told them, This Proposition did not come from themselves; and that they appeared for it only to favour the Imperialists. This Difficulty being removed, the Legates went about drawing up their Decrees; and, to make that the easier, they gave notice, that if any Man had any thing to propose, he should give it in, in Writing.

In the Congregation of *July 9.* the Decrees were read: Some did not like the Way that the Decrees were drawn up in, saying the Style was too polite and florid; that there was nothing majestick or grave in it; and that it did not relish of the noble Simplicity of the primitive Church. Others on the contrary said, That the Taste of the Age required an elegant Style; and that the learned Men of this Age had a Contempt for Doctrine, when it was presented in the rude and unpolish'd Terms of the Schools. Some said, That the Title of *Most August*, which was given to the Holy Sacrament, was improper, because it was given to Emperors; and that the Title of *Most Holy*, agreed to it much better, since this was given only to the Pope, who is Vicar of Jesus Christ. But it was answer'd, That if this Reasoning was right, then the Title of *Majesty* ought not to be given to God, because it is given to Kings.

In the Congregation of *July 10.* *Augustinus*, Bishop of *Lerida*, proposed to have some Words inserted into the Decrees, in favour of *France*, at the Solicitation of its Ambassadors; and to let the World know, that it was the Custom anciently to give the Communion under both Kinds: That since the Council mention'd the Custom of which the Kings of *France* are in Possession, to communicate under both Kinds on the Day of their Consecration, it seemed to approve of it: That he had read a Copy of a certain Privilege which granted all the *Greeks* the Liberty of following their own Custom of communicating under both Kinds, and of giving the Communion to Infants: That he had seen also in the Sacristsy of *St. Peter's*, a Book written by Cardinal *Deusdedit*, in the Year 1090. against *Schismatics* and *Simoniacks*; in which it was set forth, That it was the Usage of that Time to communicate under both Kinds, and to give the Eucharist to Infants: And therefore that *Duimio de Gliricis*, Bishop of *Veglia*, had Reason to maintain, That in the Isle of *Cyprus*, in *Candia*, and in other Places, one might find above 6000 Souls who still continued the Practice of communicating under both Kinds, and yet kept to the Doctrine of the Church of *Rome*: And consequently, that those who still observed this Custom, ought not to be condemned, as had been done in the Summary of the Decrees. The Opinion was seconded by some other Prelates, particularly by *Bernard del Bene*, Bishop of *Nismes*: For which Reason, the Form of the Decree was alter'd, and instead of these Words, *The Church, guided by the Holy Spirit, led by several weighty and just Causes, has given one Species only, namely, that of Bread to the Laity, and to the Clergy that do not celebrate*; these Words were substituted, *Tho' ever since the Beginning of the Christian Religion, the Usage of two Kinds has been very frequent; yet in Process of Time this Custom having been alter'd in several Places, the Church, led by just and weighty Reasons, has approved of this Custom of communicating under one Kind, and has made it a Law, which it is not lawful to reject or change according to any Man's Humour, without the Consent of this same Church.*

James Maria Sala, Bishop of *Viviers*, was not for having the 6th Chapter of *St. John* cited in the Decree, because the Fathers of the Church were divided about the Explication of that Chapter:

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Decree con-
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granting
the Cup to
the Laity
defer'd.

Reflections
upon the
Decrees.

Some believing, that the real eating of the Flesh of Jesus Christ, as it is given in the Eucharist, is there mentioned. Others understanding it of the spiritual Eating, which is perform'd in Baptism by the Profession of Faith in Jesus Christ. He added, That it was more advisable to explain the Doctrine of Jesus Christ in clear and precise Terms, than to urge Passages which might give the Enemies an Opportunity to attack the Doctrine of the Church, as contrary to what it has formerly taught.

Leonard Haller, titular Bishop of Philadelphia, made a long Digression, like a set Speech, when it was his Turn to speak, to persuade the Fathers of the Council to stay for the German Bishops, for three Reasons: First, because that could not be called a General Council, where one of the principal Nations of Christendom was wholly wanting: Secondly, because if they should go on any farther without staying for these Prelates, they would act with Precipitation: And lastly, because the Pope ought to write on purpose to them all, to invite them. He was answer'd, That the Pope had not been wanting in so essential a Matter: That he had sent *Commendone* and *Delfino* to the Princes of Germany, to invite them to the Council, as he could not but know; as also, that several Princes of that Nation had refused to send their Prelates and their Doctors to the Council. Several thought that that Prelate spake as he did at the Instigation of the Emperor's Ambassador, who seeing the Business of the Cup put off, was willing to put a Stop to every thing else.

Reflexions upon the Chapters concerning Reformation.

In the following Congregations, the nine Chapters concerning Reformation were read. Upon the First, about gratuitous Ordinations, *Albert Duinio*, Bishop of *Veglia*, who had been but eight Days at *Trent*, and so was not by when that Matter was debated, said, That that Chapter seem'd to him to be very imperfect, unless the Fathers would at the same time order the Court of *Rome* not to exact any Fees for any Dispensations which it should give for receiving Orders out of the prescribed Times, or under Age, or for dispensing with Irregularities and Canonical Impediments. He added, That for his Part, when any such were presented to him, he still asked, Whether they pay'd any thing for obtaining them? and when they said, *Yes*, he never would accept them: This he was willing to declare publicly, because all Bishops ought to do the same. It was answered, That this Matter had been already mentioned in the Congregation; and there it was resolved to leave it to the Judgment of the Pope, who could reform the *Roman* Offices better than any Body. He replied, That when he was at *Rome* last *Lent*, he said the same thing several times to those that were able to remedy that Evil; but once especially, at the Cardinal of *Perusia's*, before several other Cardinals and Prelates: That he was told then, That this Matter ought to be proposed in Council; but now, when he saw the contrary, he would speak no more about it, since this was a Case reserved to God himself.

Upon the second Article, about Ordinations with Title, the Bishop of *five Churches* said, It was more necessary to make a Regulation upon the Foot of the ancient Statutes, that no Man should be ordained without a Title, or without an Office, than to forbid Ordinations without an Estate; because it was a horrible Scandal, to see so many Men take Orders, not to serve God and the Church, but to live in Luxury and Idleness: That the Council ought indeed to remedy that, by finding a Way to hinder Mens taking Orders, till they have some actual Employment; and the rather, because he had observed lately, that the Court of *Rome* gave Bishopricks to some People who resigned them quickly after, and continued only Titular Bishops, having sought for that Dignity only to get Honour and Place; which is an Invention that Antiquity would have detested as abominable.

Upon the Fourth, concerning the Division of ex-

tended and numerous Parishes, the same Bishop, when he had approved of the Decree, added, That they ought much rather divide the Bishopricks, in order to the governing them the better; there being some in *Hungary*, 200 German Miles in length, which consequently cannot be visited or governed by one single Bishop.

George Zifchowid, Bishop of *Segna* in *Croatia*, proposed the Reformation of the Pope himself, under Metaphors; saying, That Darkness cannot be taken away from the Stars, unless it be taken from the Sun first; nor can a sick Body be cured, whilst the Diseases in the Head are neglected, which influenced all the Members. As to the Pardons, he said, It was not for the Service of the Church, nor for the Honour of the Council, to begin with the Reformation of little Things; that they ought in the first Place to go to the Chiefest, by reforming the superior Orders first. All these Opinions being seconded by several Prelates, the Legates said, That the Decrees being formed already, and there being now but three Days before the Session, they could not digest new Matter: That the Pope would make more exact Reformation of his own Court than the Council would, which could not so well know where the Abuses lay. Thus the Fathers were forced to hold their Tongues.

When the Congregation was up, the Legates and some other Prelates staying together, said, upon Occasion of what they had heard, That the Bishops grew every Day bolder in proposing Novelties; and that the Divines made them lose too much Time in contesting Things of small Consequence: That if they went on in this manner, they would never see an End of the Council: That it was also to be feared, that the Disorder would encrease, and produce some unhappy Effect.

Caspiello, the Promoter, who had executed that Office under *Julius III.* said, That Cardinal *Crescentino* used to interrupt the Prelates, when they spake too long, or what he did not like: And if the Legates would do that now, once or twice, the Affairs of the Council would go on much faster.

The Cardinal of *Warmia*, who did not approve of his Advice, said, That if this was Cardinal *Crescentino's* Custom, it was no Wonder if that Council had not all the Success which might have been expected; since nothing is more necessary to a Christian Council than Liberty: That if we read the Acts of ancient Councils, we shall find they began with Dissentions, tho' the Emperors were present: That by the Operation of the Holy Spirit, these Dissentions were changed into perfect Concord; which was a Miracle, that made all the World submissive and obedient: That we ought not therefore to be astonished, if there were some Contradictions in the Council of *Trent*, where every thing pass'd in the General with Decency: That if they came to to violent Methods, the World would question the Liberty of the Council, and would pay no longer Regard to it: That every thing ought to be left to the Disposal of God, who will govern Councils, and the Minds of those who meet there in his Name, after his own way.

The Cardinal of *Mantua* was of the same Opinion, and blamed the Proceedings of Cardinal *Crescentino*: Adding however, That to correct Abuses by Decrees, by prescribing to every Man the Order and Time of speaking, was not to violate the Liberty of the Council. This the Cardinal of *Warmia* contented to; and they agreed to make Regulations accordingly after the Session.

When the Imperialists saw they could not hope to get the Cup, they and the *French* began to use all their Endeavours to oblige the Fathers to close next Session without doing any thing, and to leave all to the following one, as they had done twice already. But the Legates, to avoid that Slur, applied all possible Art to dispatch the Things that were proposed, that so they might publish the four Chapters concerning

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Reflexions upon the Chapters concerning Reformation.

Imperialists Design of hindring any thing to be decided in the next Session.

The History of the Council of Trent. concerning Communions, and the nine others about Reformation, the next Session. Now since there were but two days before the Session, upon the 14th in the Morning there was a Congregation, at the Opening of which, the Archbishop of Granada pray'd the Legates to suffer the Session to be prorogued, and made a sort of Harangue to set forth the Importance of the Matters which were to be decided there, and the Necessity of resolving several Difficulties which still remained undetermined. But the Legates, who were resolved to hold a Session, allow'd of none of these Reasons, and caused the Chapters of Doctrine to be read.

Upon that Passage in the first Chapter, in which it is said, that no Obligation to communicate under both Kinds can be inferred from these Words of our Lord, *If you do not eat the Flesh of the Son of Man, and drink his Blood*, the Archbishop of Granada said, that in that Passage our Saviour did not speak of the Sacrament, but of Faith under the Metaphor of Nourishment; and to prove what he said, he produced the Text, and the Explication of several Fathers, particularly of St. *Augustin*. Cardinal *Seripando*, who presided in that Congregation, believing, that the Archbishop of Granada started this Difficulty only to oblige the Legates to prorogue the Session, since he could not engage them to do it by his Speech, said, that if the Fathers, who had labour'd in drawing up those Decrees, were heard, they would find no Difficulty: That they had weigh'd and examin'd those Words in the 6th. of St. *John* with all possible Attention: That the Catholicks differ'd from the Hereticks in the Explication of them, in this, that these pretend to prove by those Words, that Communion under both Kinds, is a divine Precept and necessary to Salvation: That the Catholicks are divided among themselves; some understanding those Words of sacramental Communion, and others of spiritual: That the Fathers who drew up that Decree, made use of those Words, only to let the Hereticks know, that supposing our Saviour had spoken there of sacramental Communion, yet that the Obligation to Communion under both Kinds, could not be from thence infer'd; but that they did not pretend to decide the Question between the Catholicks, whether sacramental or spiritual Communion was there intended? And he concluded, that they ought not to use those sort of Tricks to oblige them to prorogue the Session, which the Publick expected now with great Impatience.

Thomas Stella, Bishop of *Justinople*, desired there might be some Change in these Words of the first Chapter; *For though our Lord Jesus Christ, in the last Supper, has instituted and given to the Apostles this venerable Sacrament under the Species of Bread and Wine; yet his having instituted and given it in that manner, is no Proof that all Christian People are bound and obliged, as by an Ordinance of Jesus Christ, to receive it under both Kinds; and that it should be declared, that these Words of Jesus Christ, Drink ye all of it, are not address'd to all the Faithful, but only to the Apostles, and in their Persons to the Priests.*

Several Fathers besides made many Objections, which were not at all regarded. *Bovius* Bishop of *Ostuni*, and *Nacclantus* Bishop of *Chiozza*, who had the greatest hand in the Composition of these Decrees, desired leave to speak, that they might give an account of the Manner in which they had drawn them up: But it was late, and so the Legates rose to go away.

As they went out of the Congregation, Cardinal *Seripandus*, who was desirous to content the Archbishop of Granada, spoke to the Archbishop of *Zara* to wait upon him, to confer with him concerning the Difficulty which he propos'd about the Passage in the 6th. of St. *John*, and to assure him, that the Legates would gladly receive any Additions or Corrections which he would make: After these two Prelates had consulted together, they agreed to insert these Words into the Decree, *According to sever-*

ral Interpretations of holy Fathers and Doctors, which the Legates caused to be put in.

After Dinner they went on with examining the Decrees concerning Doctrine and Reformation; there also several Difficulties were made, which the Legates got over with Patience: Upon the Bishop of *Nismes's* Remonstrance, which he made to them at the Solicitation of the *French* Ambassadors, that it was the Custom in *France* to pay nothing for Certificates and Letters of Priests Orders to the Notaries; they order'd it to be inserted into the Decree; *Saving the Customs of particular Places.*

The Imperialists saw now, that the Session would not go off without doing something, since the Fathers had examin'd and approv'd the Decrees that were to be publish'd, and they had now but two days to draw them out fair; they resolved therefore to engage *Alphonfus Salmeron* the Jesuit, and *Francis Torres*, to find some way to hinder the Decrees from being publish'd. *Salmeron* and *Torres* accordingly went to Cardinal *Hofius* at seven a Clock at Night, and told him, that they being the Pope's Divines, they thought they were bound in Conscience to let him know, that there were things in those Decrees not worthy of the Council, and which wanted to be corrected. The Cardinal acquainted his Colleagues with it immediately. When they had consulted together, they agreed that it was necessary to hear *Salmeron* and *Torres* (*) in the Presence of able Men. For this purpose they named *John James Barba*, Bishop of *Terni*, who had been *Paul III's* Divine in the Council, *Foscarari* Bishop of *Modena*, *Gorronero* Bishop of *Almeria*, *Jerome Trevisani* Bishop of *Vero-*

na, and *Petro Soto*, to confer with those Divines, that so they might give their Report in the Congregation which would be held before the Session. Next day *Salmeron* and *Torres* were sent for. *Salmeron* said, before the Legates and Doctors that were delegated, that they ought to take notice of two Times in the Commandment which Jesus Christ gave in his last Supper which he made with his Apostles; the Time in which he gave his Body, and that in which he gave his Blood: That in the first Time, he commanded all the Faithful, in the Persons of the Apostles, to receive his Body under the Species of Bread, when he presented that to them: That in the second, he commanded none but the Priests in the Persons of the Apostles to drink his Blood, when he gave them the Cup: That this was evidently proved by these Words, which the Son of God added when he said, *Do this in Remembrance of Me, as often as you drink this*: That without this Distinction of Time, we cannot infer from this Passage, that there is no necessity for all the Faithful to communicate under both Kinds, as the Decree seems to understand it. That it is not likewise for the Honour of the Council to leave it in Dispute, whether Jesus Christ, in the sixth Chapter of St. *John*, spake of the spiritual Eating of his Body; since there is not a stronger Evidence in the whole Gospel to prove the Obligation which our Saviour has laid upon Mankind to receive that Sacrament: That the two Passages cited in the second Chapter of the Decree, to prove the Power which the Church has always had in the Matter of the Dispensation of the Sacraments, to make Establishments, nay Changes in things not essential, according as it has judged it to be most convenient, to keep up the Respect due to Sacraments, or for the Advantage of those that receive them, according to the different Times, Places and Circumstances; the one taken out of the fourth Chapter of the first Epistle to the *Corinthians*; where the Apostle says, *Let a Man so account of us, as the Ministers of Christ, and the Stewards of the Mysteries of God*; and the other out of the 11th. Chapter of the same Epistle, where it is said, *The rest will I set in order when I come*; do not prove it. First, because the Apostle does not speak of Sacraments in the 4th. Chapter of his first Epistle to the *Corinthians*; nor does he speak of them in the second Passage, since the Things

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which he there would regulate, relate only to outward Discipline. Secondly, because though it should be true that St. Paul spake of the Sacraments in both Passages, yet the Quality of Steward gives him a Power to alter nothing, but only to execute. Lastly, that the Reason alledged in the fourth Chapter of the Decree, not to give the Eucharist to Infants is very weak: It is said there, that Infants have received Grace in Baptism, and whilst they continue in that Age they cannot lose it; for even though they could not lose it, yet it may be encreased; why then, by depriving them of the Eucharist, shall they lose the Encrease of Grace? Consequently therefore it would be more reasonable to say, that the Church thought it improper to give the Eucharist to Infants, because they cannot discern the Eucharistic from Common Bread; and Eucharistic Bread requires, according to St. Paul's Precept, so to be discerned.

Answer to Difficulties of Salmeron.

The Legates asked the four Divines, what they could say to this? when they had conferred some time together, they unanimously gave this Answer to Salmeron's first Objection; that several Doctors, particularly St. Thomas, have taught that these Words of Jesus Christ, *Drink ye all of this*, were not directed to the Apostles alone, and in their Persons to the Priests alone, but to all the Faithful; which they proved by the Eleventh Chapter of the first Epistle of St. Paul to the *Corinthians*: Consequently, that the Council could not do any thing more advisable, than after it had set forth what every Man was obliged to in his own Condition, to assert that all the Faithful are not obliged to communicate under both Kinds, the Church having given Authority to the contrary Practice. That as to the sixth Chapter of St. John, it would not be for the Honour of the Council to determine its Sense, since it would rob the Church of the double Advantage which it draws from the two Senses which the Fathers have given to that Text: For when it had the *Bohemian* to oppose, it happily made use of that Sense, in which several Fathers understood that sixth Chapter of St. John, saying, that a Spiritual Communion was there designed; and the Hereticks could not reproach the Church with giving there a new Interpretation, since it was found in the most ancient Fathers. As to the Passages of St. Paul, which were made use of, to prove the Power the Church has to change the Usage in the Dispensation of the Sacraments; they said, that there seem'd indeed to be more Difficulty; but if one attends to the Words, *Minister and Steward of the Mysteries of God*, which St. Paul makes use of, he will see that the Word *Mystery* is by St. Paul used for *Sacrament*; and that the Word *Oeconomus*, which St. Paul uses, signifies more than a bare *Steward*; this Quality carrying along with it an Authority to dispose of every thing in the Lord's House; which shows that the Council could with reason make use of these two Passages of the Apostle, to prove the Authority which the Church has to make those Changes: That in Answer to the last Difficulty proposed by Salmeron, concerning the Communion of Infants, it was sufficient to say, that since the Council intended only to refute those Hereticks that maintain that the Eucharist is necessary for Infants, there was no need of urging any Arguments besides those it has urged already, saying, that Infants receive in Baptism, that Grace which they cannot lose in that Age, and which is sufficient to save them.

These four Divines had scarce answer'd Salmeron, when the Clock struck that Hour, in which the last Congregation was to be held, whither the Legates came. The Decrees which were now drawn out fair were read, and the Legates were rising to be gone, when Arias Gallego, Bishop of Giron, stopt them short, putting himself before them, and desiring to be heard. The Legates look'd one upon another with Astonishment; but they were so eager of holding the Session, that they sat down without saying a Word. Arias order'd the Chapter of Distributions to be read; and then said, that formerly

Distributions made the whole Revenüe of the Clergy, and that through the Corruption of the Time they were become Prebends: That God had given Bishops a Power to abolish evil Customs, and to re-establish old ones, which they should judge better: That it was not just in the Council to give them a third of their due, and to take away from them all the rest: That in truth they ought to say that Bishops have a Power to turn the whole Prebends into Distributions, and not to limit them to one third. The Archbishop of Prague, and several Spanish Bishops were of the same Opinion; but the Cardinal of Mantua having extolled the Piety of these Prelates, and said, that this was a Matter which deserved to be examin'd by the Council, promised, with his Coleagues Consent, that it should be mentioned next Session.

As they went out of the Congregation, Cardinal Simoneta reflected a little upon the Cardinal of Warmia, for amusing himself to listen to the Jesuit Salmeron, who with his Scruples had like to have kept that Session from doing any Business; which would have been a Reproach to the Council, when they had held two Sessions *pro forma* already, and would have been sufficient to have made it lose its Credit for ever without retrieve. Cardinal Hosius told him, he did not think he ought to refuse to hear two Divines who had been sent to him by the Emperor's Ambassador. Simoneta plainly perceived that the other's Artifice had over-reached this Cardinal's Goodness; and being afraid that the Imperialists might play them such another Trick, he talk'd with his Coleagues, who agreed to give him notice of it, if such a thing should happen.

July 16. The Fathers and Ambassadors went to the Cathedral Church with the ordinary Ceremonies, to hold the twenty first Session. Marco Cor-

Session XXI.

After Mass the officiating Prelate read the four following Chapters concerning Doctrine.

The Holy, General, and Occumenical Council of Trent, lawfully assembled under the Guidance of the Holy Spirit, the Legates of the Holy See presiding there, considering that through the Malice of the Devil, different and monstrous Errors are spread in different Places, concerning the Tremendous and most Holy Sacrament of the Eucharist; by reason of which, several Persons in some Provinces seem to be separated from the Faith of the Catholick Church, and from their Obedience due to her; has thought it convenient to set forth in this Place, what relates to Communion under both Kinds, and that of little Children: For which Reason, it forbids all the Faithful of Jesus Christ to be so rash as to believe any thing concerning this Matter for the future, but what is explained and defined in these Decrees, or to teach or preach any otherwise.

Chap. I. The Holy Council therefore, instructed by the Holy Ghost, who is the Spirit of Wisdom and Understanding, of Counsel and Piety, pursuant to the Judgment and Usage of the Church it self, declares and teaches, That the Laity and non-consecrating Clergy are not obliged by any Divine Command to receive the Sacrament of the Eucharist under both Kinds, and that it cannot be doubted, without hurting the Faith, that Communion under one Kind alone is sufficient to Salvation; for though Jesus Christ did institute and give this venerable Sacrament to his Apostles in the last Supper, under the Species of Bread and Wine, yet it does not follow that, because he so instituted and gave it, all Faithful Christians are obliged, as by an Ordinance of our Lord, to receive it under both Kinds: Nor can it be concluded from those Words in the sixth Chapter of St. John, which way soever they be understood, according to the different Interpretations of Fathers and Doctors that our Lord commanded

Chapters of the 21st Session concerning Doctrine.

Com-

The History of the Council of Trent. Communion under both Kinds; for he that said, *Unless you eat the Flesh of the Son of Man, and drink his Blood, you have no Life in you,* said also, *If any one eateth of this Bread, he shall live eternally:* He that said, *He that eateth my Flesh, and drinketh my Blood, hath Life eternal,* said also, *The Bread which I will give is my Flesh for the Life of the World.* Lastly, he that said, *He that eateth my Flesh, and drinketh my Blood, dwelleth in Me, and I in him,* said also, *He that eateth this Bread shall live eternally.*

Chap. II. Besides it declares, That the Church has always had this Power of appointing or changing in the Dispensation of the Sacraments, without meddling with their Substance, what it shall judge convenient, either for the Good of those that receive it, or for the Respect due to the Sacraments, according to the Diversity of Things, Times, and Places: And this is what the Apostle seems to have intimated very clearly, when he said, *Let a Man so account of us as Ministers of Jesus Christ, and Stewards of the Mysteries of God;* and it is sufficiently manifest that he made use of this Power upon several Occasions, particularly with relation to this Sacrament, where, when he made some Regulations about the Manner of receiving it, he added, *The rest will I set in Order when I come.* Wherefore our Holy Mother the Church, sensible of its own Authority in the Administration of the Sacraments, though the Practice of communicating under both Kinds, was very common in the Beginning of Christianity, yet since this has been changed in several Places in Process of Time, being led by weighty and just Reasons, has approved of this Custom of communicating under one Kind only, and has made it a Law, which may not be changed nor rejected according to any one's Fancy, without the Authority of the same Church.

Chap. III. The Holy Council moreover declares, That though our Redeemer instituted and gave this Sacrament to his Apostles, as was said before, under both Kinds; yet we ought to confess, that, under one of these Species alone, we receive Jesus Christ whole and entire, and the true Sacrament; and therefore those that receive only one Kind, are, as to the Fruits, deprived of no one Grace necessary to Salvation.

Chap. IV. Lastly, the same Holy Council teaches, That little Children, which have not the Use of Reason, are by no Necessity obliged to a Sacramental Communion of the Eucharist, since, having been regenerated by the Waters of Baptism, and incorporated into Jesus Christ, they cannot at that Age lose the Grace of the Children of God, which they have obtained already. We ought not however to condemn Antiquity upon that account, if formerly it has observed this Custom in several Places: For as those Holy Fathers had some probable Reasons for doing it in their Times, so we ought certainly to believe that they did not do it, because they thought it necessary for Salvation.

Canons concerning the Doctrine of Communion under both kinds. Canon I. *If any Man shall say, That all and every of the Faithful are obliged by Divine Precept, or as necessary to Salvation, to receive the most Holy Sacrament of the Eucharist under both Kinds: Let him be Anathema.*

Can. II. *If any Man shall say, That the Holy Catholick Church had not just and reasonable Causes to give to the Laity, and even to the non-consecrating Clergy, the Communion of the Eucharist under the Species of Bread alone, or that it erred therein: Let him be Anathema.*

Can. III. *If any Man shall deny, That Jesus Christ, the Author and Fountain of all Graces, is received whole and entire under the Species of Bread alone, because he is not received under both Species, according to the Institution of Jesus Christ, as some falsely maintain: Let him be Anathema.*

Can. IV. *If any one shall say, That the Communion of the Eucharist is necessary to little Children, before they have attained to the Age of Discretion: Let him be Anathema.*

V o l. III.

As to the two Articles which were formerly proposed, and which still remain to be examin'd, namely, Whether the Reasons which induced the Church to give the Eucharist under the Species of Bread alone to the Laity, and to the non-celebrating Clergy, ought still to be so adhered to, as that the Use of the Cup ought to be allowed to no Man whatsoever; and supposing, that it should be thought convenient upon reasonable Causes, and such as are founded upon Christian Charity, to grant the Use of the Cup to some particular Nation or Kingdom, whether it should be clogged with any Conditions, and what those Conditions ought to be? The same Holy Council reserves the Examination and Declaration upon those Articles to another Time, and to the first Occasion which shall offer it self.

The same Holy Council of Trent, &c. has thought it expedient for the Glory of the Almighty God, and the Honour of the Holy Church, to ordain for the present, what follows in the Business of Reformation.

Chap. I. Since the Ecclesiastical Order ought to be free from all Suspicion of Covetousness, Bishops and all others who have a Right to confer Orders, and their Officers, shall, upon no Pretence whatsoever, take any thing for giving any Manner of Orders, even of the Clerical Tonsure; nor for Letters dimissory or testimonial; nor for the Seal, or any other Cause whatsoever, even though it be voluntarily offer'd. As for the Secretaries, in those Places where the laudable Custom of taking nothing is not in force, they shall take only the tenth Part of a Crown of Gold for every Letter dimissory or testimonial; provided still that they have no Salary for the Exercise of their Office; and the Bishop shall receive no Part of the Secretary's Fees or Wages, directly or indirectly, upon the Collation of Orders; because the Council ordains, that they shall give their own Pains for nothing, voiding and annulling all contrary Taxes, Statutes and Customs, though they be immemorial in any Places whatsoever, as being rather Simoniackal Abuses and Corruptions, than the lawful Usages; and denouncing Excommunication against those that shall practise otherwise, as well the Givers as Receivers.

Chap. II. It not being decent, that those who enter into the Service of God should beg, to the Reproach of their Order, or gain their Livelihood by fordid Employments; and it being notoriously publick, that great Numbers of Clergymen have been admitted to Orders in several Places, without any Distinction, and have used Abundance of Artifices and Fallacies, to make it appear that they were in Possession of some Ecclesiastical Benefice, or that they had a sufficient Estate: The Holy Council ordains, That no secular Clergyman for the future, even though no Objections can be made to his Manners, his Learning or his Estate, shall be promoted to Holy Orders, if it be not before-hand legally certain, that he possesses an Ecclesiastical Benefice, sufficient to maintain him creditably, with a peaceable and unmolested Possession: And he shall not resign this Benefice, without it be mentioned that he took Orders upon that Title; nor shall his Resignation be admitted, unless he proves that he has wherewith to live conveniently elsewhere; otherwise his Resignation shall be null: As for those who have only Patrimonial Estates or Pensions, none but such as the Bishop shall think proper to be put into Orders, for the Necessity or Convenience of his Churches, shall be admitted, after first having proved that they really possess such Patrimony or such Pension, as are sufficient for his Maintenance; which shall not be afterwards alienated, extinguished or remitted, without the Bishop's Leave, till they shall have got some competent Ecclesiastical Benefice, or have wherewithal to live upon elsewhere; whereupon it renews the Penalties of the ancient Canons.

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Letters of Orders, dimissory, testimonial and Seals to be given gratis.

None to receive Orders without a Title or sufficient Estate.

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Chap. III. Benefices having been settled to perform the Service of God, and all other ecclesiastical Functions; that the Service of God may suffer no Diminution, but be perform'd and preserv'd entire, as it ought to be in all its Parts: The Holy Council ordains, That in Cathedral or Collegiate Churches, in which there are no quotidian Distributions, or, if there are any, so small in all probability they will not be regarded, a third Part of all the Fruits, Profits and Revenues, as well of Dignities as of Canonicaries, Parsonages, Portions and Offices, shall be set apart to be converted into quotidian Distributions, and divided among those who possess Dignities, and others who shall assist in the Service of God, proportionably as the Bishop who shall act as Delegate of the Apostolick See shall direct; without touching however upon the Customs of those Churches, in which all those who are Non-resident, or that do no Service, receive nothing, or less than a Third; all Exemptions, Immemorial Customs to the contrary, and Appeals whatsoever to the contrary, notwithstanding: And in case of Contumacy those who shall neglect the Service, he may proceed against them, according to the Disposition of the Law and the Holy Canons.

Priests in great Parishes to take Assistance; and new Parishes to be erected where old ones are too great.

Chap. IV. In all Parochial or Baptismal (a) Churches, in which the People is so numerous that one Curate is not sufficient to administer the Sacraments, and to perform Divine Offices; Bishops, as Delegates of the Holy See, shall oblige the Curates, or those to whom those Churches appertain, to take as many Priests in to their Assistance, as shall be necessary for the Administration of the Sacraments, and the Celebration of the Service of God. But when, through the difficulty or distance of Places, the Parishioners cannot without great Inconvenience go to their Parishes to receive the Sacraments, and assist at the Service of God, the Bishops may erect new ones, even against the Curates Will, according to the Constitution of *Alexander III.* beginning with these Words, *Ad Audientiam Nostram*; and they shall assign to the Priests, who shall be set over the Churches so newly erected, such a Portion as the Bishop shall judge sufficient, of the Fruits and Revenues which shall in any manner belong to the Mother-Church: And also if it shall be necessary, the Bishop may constrain the People to make such an Allowance as shall be sufficient for the Support and Maintenance of these Priests; all general or special Reservations or Assignments upon these Churches, to the contrary notwithstanding; nor shall such Establishments and Erections be stop'd or hindered by any Provision, (tho' made by Vertue of Resignations) or any Derogations or Suspensions whatsoever.

Unions of smaller benefices.

Chap. V. That the Condition of those Churches in which Divine Service is celebrated, may be kept up with Dignity; Bishops, as Delegates of the Holy See, may according to Form of Law make perpetual Unions of any Parochial or Baptismal Churches whatsoever, and of other Benefices with or without Cures, with other Cures, in case of Poverty, and in other cases permitted by the Law; even though these Churches or Benefices be generally or specially reserved or appropriated in any manner whatsoever, without prejudice even to the present Incumbents: And these Unions shall be irrevocable, and no ways infringed by Vertue of any Provision, even upon the Account of Resignation, or of any Derogation or Suspension whatsoever.

Illiterate and ignorant Priests to have Coadjutors; Scandalous Priests to be deprived.

Chap. VI. Forasmuch as illiterate and ignorant Curates of Parish Churches are by no means proper to perform holy Functions, and others, through the Irregularity of their Lives, are more apt to destroy than to edify; Bishops, as Delegates of the Holy See, may appoint Coadjutors and Vicars for a Time, to those that want Knowledge and Capacity, but who are otherwise sober Men, and lead an ex-

emplary Life; and assign them some Part of the Revenue, which shall be sufficient to maintain them; or may provide for them any other way, without any regard to any Exemption or Appeal. But as for those who live disorderly or scandalously, after having first admonished them, they shall correct and chastise them; and if they continue still to live disorderly, they may deprive them of their Benefices, according to the Constitutions of the Holy Canons, any Exemption or Appeal to the contrary notwithstanding.

Chap. VII. Since great Care ought also to be taken that things consecrated to the Service of God, may not through the Injury of Time be turned to profane Uses, and so be lost out of the Memory of Men; Bishops, as Delegates of the Holy See, may transfer simple Benefices (even those that have Right of Patronage) of those Churches which are ruined by Time or otherwise, and which cannot be repaired by reason of Poverty, to their Mother Churches, or others in the same Places, or hard by, as they shall think advisable, (having called in all that have any Interest) and may erect Altars or Chappels in these same Churches, under the same Titles and Invocations; or transfer them to Altars and Chappels erected already, with all the Profits and Revenues, and the same Charges that belonged to the former Churches. As to Parish-Churches which shall be so ruined, though they have Right of Patronage, the Bishops shall take care that the Rights and Revenues of what nature soever, which did in any manner whatsoever belong to those Churches, shall be restored to them; if they are not sufficient, they shall oblige the Patrons and all others who receive any Profit out of those Churches, by all sorts of due and reasonable ways to contribute to their Repair; and in their default, they shall address themselves to the Parishioners, without regarding any Appeals, Exemptions or Oppositions whatsoever; and if they be all too poor, they shall be transferred to their Mother-Churches, or to those that lie next, with a Power and Faculty to convert both these Parishes and the other ruined Churches to profane Uses, so they be not sordid ones, only leaving a Cross erected in the Places.

Churches when ruined, to be removed to other places next them; Parishes to be repaired or united to the next.

Chap. VIII. It is reasonable that the Ordinary should take particular care of all things that relate to the Service of God in his own Diocese, and should give order about it when there is Occasion. For which Reason, Monasteries held in Commendam, even Abbacies and Priories, and what they call Provostships, in which their Rule is not vigorously observed; as also all Benefices with or without Cure, Secular and Regular, which are held in Commendam in any manner whatsoever, even those that are exempt, shall be visited every Year by their Bishops, as Delegates of the Holy See; and those Bishops shall provide by proper ways, even by Sequestration of the Revenues, to re-establish what is wanting, and to satisfy what relates to the Cure of Souls, if those Places or any other Places that depend upon them be charged with it, as it ought to be performed, and any other Duties to which they may be obliged; any Appeals, Privileges, Customs, Pleading immemorial Prescription, Letters of Conservation, Deputations of Judges, and Prohibitions from them, to the contrary notwithstanding. But if in the aforesaid Places, their Rule is vigorously observed, the Bishops shall take care paternally to admonish the Superiors of the Regulars, to live, and to cause those that are under their care to live conformably to their Rules and regular Constitutions, and to govern their Charge well, and keep them in their Duty; and if after such Admonition, they shall fail to visit and correct them within six Months, then the Bishops, as Delegates of the Holy See, may visit and correct them just as their respective

Commendatory Religious Houses and Benefices to be visited by the Bishop.

[(a) Baptismal Churches are those in which there is a Font for the Administration of Baptism.]

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Superiors might do, according to their Rules and Constitutions; all Appeals, Privileges and Exemptions to the contrary notwithstanding.

Pardoners abolished.
Chap. IX. Process of Time having made several Remedies useless, which had been formerly employed by several Councils, those of *Lateran* for the purpose, of *Lyons* and *Vienna*, against the Abuses and Irregularities of the Pardoners; and their Disorders seeming rather daily to encrease, to the great Scandal of the Faithful, who have just Reason to complain, so much as that there seems to be no more Hope of Amendment: The holy Council ordains, that the Name and Use of them shall be entirely taken away in all Places of *Christendom*, and that no Man shall be admitted any more to do that Office; any Privileges granted to Churches, Monasteries, Hospitals, Places of Devotion, or to any other Persons of what Estate, Dignity and Condition soever they be, and any Customs tho' of immemorial Prescription, to the contrary notwithstanding. It wills also and ordains, that Indulgences and other spiritual Graces, of which it is not reasonable that the Faithful should upon this Account be deprived, shall be published to the People at proper Times, by the Ordinaries of the Place, who shall take two Members of the Chapters along with them, who also shall have Power to receive the Alms and other charitable Benevolence which shall be offer'd them, without taking any thing at all to themselves; that so the whole World may see and understand that these heavenly Treasures of the Church are truly laid out to keep up the Piety of the Faithful, and not for any particular Interest.

The holy, œcumenical and general Council of *Trent*, lawfully assembled under the Guidance of the Holy Ghost, the same Legates of the holy See presiding there, has resolved and ordained that the next

Session shall be held and celebrated on *Thursday* after the Octaves of the Nativity of the blessed Virgin *Mary*, which shall be the 17th. of *September* next; with this Reserve, that the same holy Council shall, according to its own good Will and Pleasure, and as it shall judge to be most advantageous to the Affairs of the Assembly, restrain or prorogue that Term, even in a general Congregation, and also any Terms which shall be mark'd out hereafter for any Session.

Immediately after the reading the Decrees concerning Doctrine, *Alphonsus Salmeron*, a Jesuit, and *Franciscus Torres* spake, one to Cardinal *Hofius*, the other to Cardinal *Madrucchi*; telling them, that the first Chapter of Doctrine was obscure, and that it ought to be explained more clearly, by inserting that Jesus Christ instituted the Sacrament under both Kinds, only for the Apostles and celebrating Priests, and not for all the Faithful: That such a Clause was necessary to take away all Cause of Doubtfulness from the Catholics; and all Occasions of contradicting and Calumny from the Hereticks: That since they were present at the Council as the Pope's Divines, they could not forbear giving their Opinions in a Matter of so great Importance.

The Cardinal of *Warmia* having proposed to the other Legates the Addition which *Salmeron* desired to insert into the Decree, they thought it advisable to consult the Fathers; and this Addition was rejected by the Majority. The Legates on their parts were dissatisfied with *Salmeron* and *Torres's* coming into the Session, to propose their Opinions at so unreasonable a Time, but yet resolved to say nothing to them, because they were the Pope's Divines; and so gave them to understand that it should be determined next Session, when the two remaining Articles were consider'd.

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Remembrance of Salmeron & Torres concerning the Decrees.

CHAP. XVII.

The History of the twenty second Session, and of the Congregations preparatory thereunto.

Reconciliation of the Cardinals of Mantua & Simoneta.
After the Session was over, the Legates applied themselves to choose Subjects to be determin'd next Session, with a Resolution to hasten it as soon as they could.

About that time, the Cardinal of *Mantua* receiv'd Letters from the Cardinal *Gonzaga* his Nephew; and Cardinal *Simoneta* received others from his Brother *Alexander*; in which they were exhorted from the Pope to agree together. Cardinal *Simoneta*, to testify his Submission to his Holiness's Orders, one day when he went out of the Church, invited himself to dine with the Cardinal of *Mantua*, and reconciled himself perfectly with him; but when he was going to complain of some Prelates, to whom the Cardinal of *Mantua* granted too free Access to his Palace (b), the Cardinal of *Mantua* interrupted him modestly; telling him, that they would talk of it another Time. Then they both consulted upon the Means that were to be used to content the Pope about the Business of Residence, and what Bishops they could employ to persuade the rest: For they well knew, that those who were known to be in the Interests of the Pope, could not be employ'd, because they were so much mistrusted: They chose therefore *Giles Foscararo*, Bishop of *Modena*, and *Dominico Bollani*, Bishop of *Brescia*.

The same day the Archbishop of *Lanciano* presented the Pope's Answer to the Bishops, full of Tenderness and Promises, which won them over, and

made them act with much less Heat in their Demands about the Declaration concerning Residence. The same day there came a Courier from *Milan*, who brought the Marquess of *Pescara's* Secretary a Copy of a Letter from the King of *Spain*, written to the Marquess of *Pescara*; in which his Catholic Majesty sent him word, that having understood that the Declaration of the Council's being continued, was agreeable neither to the Emperor nor to the King of *France*; and that if it were made, it might occasion the Dissolution of the Council; he desired him to cease soliciting it, upon condition nevertheless, that they would not declare this to be a new Council: That he thought also, that it was not necessary to declare, that Residence of Bishops was of divine Right: That he commended the Earnestness which the *Spanish* Bishops had used, but that he would have them stop where they were. The Secretary shew'd this Letter to the *Spanish* Bishops; and the Archbishop of *Granada* having read it, said, *It is very well, since the Pope is not willing to have this Declaration. My Master does not know the Importance of it; he is guided by the Archbishop of Sevil and the Bishop of Cuenca, who do not much trouble their Heads with Residence. I know very well what 'tis his Catholic Majesty desires: I will obey him in not protesting; but I will persist in demanding this Declaration as often as I shall have occasion of making it; assuring my self, that he will not be in the least offended at it.*

King of Spain's Letter.

[(b) Our Author has thro' Haste mistaken the Matter. *Simoneta* did not complain of any Bishops who had too free Access to the Cardinal of *Mantua*, but excused himself for suffering Bishops to come to his own House, who had made it their Business to expose the Cardinal of *Mantua*; and that Cardinal's

Modesty and good Nature appeared in this, that he accepted of *Simoneta's* Excuses, and would not enter into farther Disputes, that he might not exasperate, where he was resolved to pass by every thing that was past.]

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A Copy of the Letter was also given to the Ambassadors of the Emperor and the King of France, who said, concerning the Article of the Continuation of the Council, that there was indeed no need of this Declaration in such formal Terms, since the Thing was done in Effect.

Articles concerning the Mass.

July 19. there was a general Congregation, in which it was proposed to treat of the Mass, and of the Abuses committed therein. Then the thirteen following Articles were read: I. *Whether the Mass be a bare Commemoration of the Sacrifice upon the Cross, and not a Sacrifice?* II. *Whether the Sacrifice of the Mass derogates from the Sacrifice upon the Cross?* III. *Whether by these Words, Do this in Memory of me, Jesus Christ commanded his Disciples to offer his Body and Blood in the Mass?* IV. *Whether the Sacrifice of the Mass is profitable only to those that receive it, and cannot be offer'd for others, dead or living, neither for Expiation of Sins, nor for their other Necessities?* V. *Whether private Masses, in which the Priest alone receives the Communion, are unlawful, and ought to be forbidden?* VI. *Whether mixing Wine and Water in the Mass, be contrary to our Saviour's Institution?* VII. *Whether the Canon of the Mass contains Error's, and ought to be suppress'd?* VIII. *Whether the Custom of pronouncing the Words of Consecration low in the Church of Rome be to be blamed?* IX. *Whether the Mass ought to be celebrated in the Vulgar Tongue only, that it may be understood by the Congregation?* X. *Whether it be an Abuse to say Masses in Honour of such or such a Saint?* XI. *Whether the Ceremonies ought to be abolished, and the Habits and other outward Signs laid aside, which the Church uses in the Celebration of the Mass?* XII. *Whether to say, that Jesus Christ is mystically sacrificed for us, signifies any more than to say, that he is given to be eaten by us?* XIII. *Whether the Mass be only a Sacrifice of Praise and Thanksgiving, or also a Propitiatory Sacrifice for the Living and for the Dead?*

At the bottom of these Articles it was set down, that only seventeen Divines should speak to the seven first Articles, and seventeen to the six others.

Regulations proposed concerning the Divines giving of their Opinions.

July 20. There was a general Congregation, in which the Cardinal of Mantua complained, that there was very little Moderation observed, in giving Opinions, or in refuting the Opinions of other Men; and likewise of a Custom which some had got, which he said was extremely unworthy of an Assembly made up of Bishops and Doctors; which was, that they would not hearken to one another, but as soon as any one seemed to speak a little too long, they all knocked upon the Ground with their Feet, to make him hold his Tongue: And therefore he chose to let them know, that if any such thing happen'd for the Future, he would immediately withdraw: And that, to prevent the like Disorders, he and his Colleagues thought it proper to make some Regulations; which he put at the same time into the Hands of the Secretary of the Congregations, who was order'd to read them. They set forth, 'that but four ' of the Divines whom the Pope sent to the Council, should speak to any one Question; and two ' Regulars, and two Seculars, whom the Legates ' should choose: And that upon any new Question, ' the Legates should nominate four others; and so ' successively: That the Ambassadors should choose ' only three Secular Divines, whom their Princes ' should send, to speak to any one Subject: That ' every Legate should name one Secular Divine of ' his own Domesticks: That of all the Secular Divines ' who were Domesticks to the Prelates, four only ' should be pick'd out to speak upon any Question, ' beginning at the most Ancient Doctors; and that ' every General of an Order should name three Divines of his own: That no Man should speak above half an hour at a Time; and that those that ' exceeded, should be interrupted by the Master of ' the Ceremonies; whereas those who did not speak ' so long, should be esteemed: That those Divines who ' should not be nam'd to speak upon any Subject, might ' give their Opinions upon that Matter in Writing.

Opinions of Divines concerning the Articles proposed.

July 21. the Divines met in the Afternoon to give

their Opinions upon the Articles that were proposed. *Salmeron*, as Pope's Divine, spake first; and in that Quality look'd upon himself to be dispensed from keeping the Order that was prescribed, of not exceeding half an hour when he gave his Opinion: For he kept the Congregation wholly himself, whilst he spake to the seven first Articles.

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Next Morning, *Torres* was for taking up likewise the Congregation; and when he explain'd that Passage in *St. John*, *Unless you eat, &c.* he said, that could only be understood of Sacramental Communion; and added, that in the first Chapter concerning Doctrine, in the late Decree, that seem'd to be question'd: That they ought therefore to declare, next Session, that *St. John* spake only of the Sacrament in that Place; and that if any one said the contrary, he appealed to the Council. The Legates were very angry at this Discourse, which was against the Determination of the Council, and tended to establish the Necessity of the Communion of the Cup. When the Congregation was up, Cardinal *Simoneta* said to the Legates, his Colleagues, that the Boldness of that Doctor ought to be check'd, that the rest might be kept in awe: And it was agreed, that it should be done upon the first Opportunity. This the Legates were the rather inclin'd to, because they had a very fresh Remembrance of the Disturbance which he and *Salmeron* had rais'd last Session.

The Divines all agreed to condemn the Opinions of the Protestants contained in the Articles proposed: They explained them in few Words, all but the first; upon which they were very long, to prove the Mass to be a Sacrifice, in which Jesus Christ is offer'd under the Sacramental Species. Their chief Reasons were, that Jesus Christ is a Priest, according to the Order of *Melchisedech*: That he offer'd Bread and Wine: Consequently, that the Priesthood of Jesus Christ ought to take in Bread and Wine: That the *Paschal Lamb*, which is a Figure of the Eucharist was a Sacrifice; and consequently, that the Eucharist is so too. They urged that Passage in the Prophet *Malachi*, in which God rejects the Sacrifice of the Jews, saying, *his Name should be great among the Heathen, and pure Offerings should be offer'd to him in all Places*: Which, said they, could only be understood of the Eucharist, which is offer'd to God by all Nations. They produced likewise other Figures and Similitudes of the Old Testament, which every Man explained after his own way. Among the Arguments urged out of the New Testament, they quoted a Passage of *St. John*, where Jesus Christ told the Samaritan Woman, that *the Hour was come, in which his Father should be worshipped in Spirit and in Truth*. Now to worship, signifies to sacrifice, as may be seen in several Places of Scripture. Besides, said they, the Samaritan Woman enquired of Jesus Christ concerning the Sacrifice, which the Jews could only offer in Jerusalem, and which the Samaritans offer'd upon Mount Gerizim, where Jesus Christ then was. That Text therefore must of Necessity be understood of an Outward, Publick, and Solemn Adoration, like that in the Eucharist. They urged also these Words of our Saviour's, *This is my Body which is given for you: This is my Blood which is shed for you*: Whence they inferred, that there is in the Eucharist a Separation of the Body, and an Effusion of the Blood; which are Sacrificial Actions. But they principally built upon the Doctrine of *St. Paul*, who places the Eucharist in the same Rank with the Sacrifices of the Jews and Gentiles, when he says, *That in this Sacrament, we partake of the Body and Blood of Jesus Christ, in the same manner as among the Jews, those that ate of the Victim which was killed, were Partakers of the Altar*: And that *we cannot drink the Cup of the Lord, and the Cup of Devils; nor can we partake of the Table of the Lord, and of the Table of Devils*.

As for the Ordination of the Apostles, that is plainly proved by these Words, *do this in Memory of me*: And this they confirmed by the Testimony of the

the Fathers, who all call the Eucharist a Sacrifice, or at least speak in General Terms, that the Church offers a Sacrifice. Some added, that the Mass was a Sacrifice; because, when *Melchisedech* offer'd Bread and Wine, as the Scripture informs us, Jesus Christ would not have been such a Priest as he was, if he likewise had not offer'd up both. Jesus Christ said, his Blood in the Eucharist was a Confirmation of the New Testament. Now the Blood which confirmed the Old Testament, was offer'd when that was instituted: From whence it follows, that Jesus Christ must in like manner have offer'd up his own. Moreover, when our Saviour said, *do this in Memory of me*; if he had not offer'd, how could we offer after him? they added, that the *Lutherans* had no other Argument to prove the Mass to be no Sacrifice, but only that of Jesus Christ's not having offer'd; Consequently that Opinion is dangerous, as favouring a Doctrine which is heretical. Lastly, they urged, to prove that the Eucharist is a Sacrifice, the Verse which the Church sings in the Office of the *Octaves* of the Holy Sacrament, *Jesus Christ the Eternal Priest, after the Order of Melchisedech, has offer'd Bread and Wine*; and the Canon of the *Ambrosian Missal*, which says, that when Jesus Christ was desirous to institute a Form of a Perpetual Sacrifice, he offer'd himself for a Sacrifice, and taught us to offer him likewise. Others, on the contrary, said, that when Jesus Christ held the Supper, he did indeed command, that that Offering should be for ever made in the Church; but that he did not offer up himself as a Sacrifice, nor did he then teach us to offer him; the Nature of that Sacrifice not allowing it. For, said they, had that been so, the Offering of the Cross had been superfluous; since all Men had then been redeemed by the Oblation made in the Supper: Whereas the Sacrifice of the Altar was instituted by Jesus Christ, in Memory of that which he was to offer upon the Cross; and consequently that the Eucharist could not be a Sacrifice before our Saviour was offer'd upon the Cross, since Memorials are preserv'd only of what is past. They added, that neither the Scripture, nor the Canon of the Mass, nor any Council, ever said, that Jesus Christ offer'd up himself in the Supper; and shew'd, that the Authorities alledged by others, ought to be understood of the Offering made upon the Cross: And concluded, that since they were to declare the Mass to be a Sacrifice, as indeed it was, this might be done by Scripture and the Fathers, without intermixing weak and uncertain Authorities.

In the Congregation which was held July 24. in the Afternoon, *George d' Ataide*, Divine to the King of *Portugal*, and after the Council was up, Bishop of *Viseu*, Great Chaplain and Inquisitor-General of *Portugal*, endeavoured to overthrow all the Reasons which were brought to prove the Sacrifice of the Mass by Scripture. In the first place he said, there ought to be no Question but the Mass was a Sacrifice, since all the Fathers plainly affirmed it, And beginning with the Greek and Latin Fathers, and ending with the Modern Doctors, he assured them there was not one Catholick Author but what called the Eucharist a Sacrifice: Whence we ought to conclude, that this Doctrine came from an Apostolical Tradition, which was sufficient to constitute Articles of Faith, as the Council had declared in the Beginning: But then so solid a Foundation was weakened, by those who were for seeking Proofs for it out of Scripture, which were not to be found there; by wresting Passages from their natural Sense, which gives the Adversaries occasion to blaspheme the Truth; when they see it is built upon bare Imaginations. Thence he went to examine all the Passages alledged by Divines, to shew that not one of them could be understood of a Sacrifice. To the first, he said, that Jesus Christ was a Priest according to the Order of *Melchisedech*, because he was only One and Eternal, without Father, without Mother, without Genealogy; as

as St. Paul speaks, when discoursing at length upon that Passage in *Genesis*, he describes the Eternity and Unity of his Priesthood, without mentioning either the Bread or Wine which was presented to *Abraham*, and not to God, as a Refreshment, and an Acknowledgment that the whole Country ow'd to him the Preservation of their Goods: Whereupon he quoted that Rule in St. *Augustine*, who says, that when a Thing is not said, when it is the Place to say it, we can safely draw a negative Argument from it. Concerning the *Paschal Lamb*, he said, that we are not to suppose it as a very evident Matter, that that was a Sacrifice; and that if any one would undertake to prove the contrary, we should perhaps be obliged to yield to him: Adding, that to make this Lamb rather a Symbol of the Eucharist, than of the Cross, it must be done by a very far-fetch'd Metaphor. He said the Divines had Reason to join the Passage of St. *John* with that of *Malachi*, since one served to explain the other: That we ought not to chicaner upon the Word *Worship*, since tho' it were certain that it takes in *Sacrifice*, yet the *Samaritan Woman* took it in its General Signification. As to the Words of Jesus Christ, that God is a Spirit, and that he ought to be worshipped in Spirit; unless we will misinterpret every thing, we can never say, that a Sacrament, which is made up of a visible and an invisible Part, is a purely spiritual Thing; but we ought to say, that it is compounded of something spiritual, and of an elementary Sign. So that if any Man would interpret these two Passages of inward Adoration, he would be so far from being convinced of Error, that the Probability would be of his Side; it being evident, that this Adoration is paid in all Places, and by all Nations; and that it is purely spiritual, as God is a pure Spirit. Upon these Words, *This is my Body which is given for you*, he said, That if they are referred to the Body and Blood in their natural Estate, they would have a more plausible Sense, than if they be understood of a Sacramental State: That therefore, as when we say, That Jesus Christ is the true Vine which produces Wine; we do not mean the typical Vine, but the real One, which bringeth forth Wine: So these Words, *This is my Blood which is shed for you*, are not understood of the Sacramental and Signifying Blood, but of the Natural and Signified. As for the Passage in St. *Paul*, of partaking of the Sacrifices of the *Jews*, and the Table of *Devils*; he said, the Apostle spake of the Ceremonies instituted by *Moses*, by Vertue of the Commandment of God, and those which were observed in the Sacrifices of the *Gentiles*, but that this did not prove the Eucharist to be a Sacrifice: That *Moses* plainly teaches us, that in all Votive Sacrifices, the Victim was presented entire to God; and after that Part, in which the Sacrifice consisted, had been burnt, the rest was divided between the Priests and him that made the Offering, who might eat his Share with whom he pleased; which was no longer called Sacrificing, but partaking of the Sacrifice: that as for that Part which was not consumed upon the Altar, some sent it to Market to be sold: So that what is called there a Table, is not an Altar. This, said he, then is the true Sense of St. *Paul's* Words. As the *Jews*, by eating that Part which remained of the Sacrifice with him that offer'd, partook of the Altar, and likewise the *Pagans*; so likewise, when we eat the Eucharist, we partake of the Sacrifice of the Cross: And 'tis precisely in this Sense that Jesus Christ said, *Do this in remembrance of me*; and St. *Paul* adds, *As often as ye shall eat this Bread, and drink this Cup, ye shall set forth the Death of our Lord*. As to the Ordination of the Apostles, he said, that those Words of our Saviour's, *Do this*, &c. must unquestionably be understood of what they had seen him do: We ought therefore, in the first place, to know whether Jesus Christ offer'd; which not being certain among Divines, who confess that both Opinions are Catholick, those that deny that Jesus Christ offer'd, cannot conclude,

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clude, that by these Words he ordained the Apostles to offer. Last of all, he produc'd the Arguments which the Protestants urged to prove that the Eucharist was not instituted for a Sacrifice, but only for a Sacrament: And concluded, That we cannot prove the Mass to be a Sacrifice, any otherwise than by Tradition; conjuring the Fathers to keep only to that, and not to run the Hazard of rendring the Truth uncertain, with endeavouring to prove too much. But when he went to refute the Protestants Reasons, he acquitted himself so ill, that the Auditors were discontented: For when he had produced their Objections in their full Strength, he made very weak Answers to them. Some however excused him, because of the shortness of the Time, the Night coming on, which obliged him to break off his Speech; others said, he expressed himself with Difficulty: Which however did not keep most of the Fathers from murmuring. *James Paiva*, another Divine of the King of Portugal's, being desirous to repair his Partner's Honour, resumed all the Arguments, which he had proposed, in the next Congregation; and answered them in such a manner, that all the Fathers were satisfied. He assured them, that was the Sense of his Colleague; which, joined with the Testimonials which the Portuguese Ambassadors and Prelates gave afterwards, of the Probity and sound Doctrine of that Divine, set him right in the Opinion of the Legates, which that Speech made him forfeit. (c)

July 28. *John Cavillon*, a Flemish Jesuite, the Duke of Bavaria's Divine, made a Discourse by way of Exhortation: In which, to prove the Sacrifice of the Mass, he produced several Miracles which had happened at several Times; and assured them, that from the Apostles Times, down to *Luther*, no Man ever questioned the Articles that were proposed. He quoted the *Liturgies* of St. *James*, St. *Mark*, St. *Basil*, and St. *John Chrysostom*. He said, The Objections of the Protestants had been sufficiently refuted; and conjured the Legates not to suffer them to be proposed any more.

Among the Divines who spake to the six last Articles, there was one *Antonio Grosupia*, a Dominican Friar, Divine to the Bishop of *Vigevano*, who said, That it was plain, from Ecclesiastical History, that every Church had formerly a particular Ritual for the Mass, introduced by Time and Use, rather than by any Decree: That lesser Churches followed the Custom of their Metropolis, or the great Neighbouring Churches: That the Roman Ritual was introduced in several Provinces, to oblige the Popes; and yet there were several Churches which still practised Ceremonies different from those of Rome. Then he mentioned the *Musarabic* Use, according to which, Mass was still celebrated every Sunday, in a Chappel belonging to the Cathedral Church of *Toledo*, where they had Horses and Fencing, after the Moorish Fashion: Whereas if such Things were practised in Italy, People would never believe they were at Mass. He added, That the Church of *Alilan* had still an Use of their own, different from the Roman, even in the most important Things: That even within these few Ages there had been great Alterations in the Roman Ritual, as might be easily seen by the ancient *Ordo Romanus*: That one may truly say, That the true Roman Ritual is not that which has been in Use for these last three hundred Years at Rome, but that which is used by the Order of St. *Dominic*. As to the Habits, Vessels and Ornaments, both of Ministers and Altars, which are now used, they are so different from the ancient ones, as may be seen in old Books, Sculptures, and

Paintings, that one may call them different Habits, and different Ornaments: That if we will approve only of those Ceremonies which are used in the Church of Rome, so as to exclude all others, we must condemn all Antiquity, and blame the Conduct of other Churches: Therefore he advised the Fathers to mind the Essentials of the Mass, and to let alone every thing else. Last of all he shew'd what remarkable Differences there are between the present Roman Usage, and that described in the *Ordo Romanus*; in which 'tis plain that the Laity communicated under both Kinds: And he conjured the Fathers to be willing to grant it also at this Time.

This Discourse displeased the Assembly; but the Bishop of *five Churches* undertook to defend this Doctor, maintaining that he had advanc'd nothing but what was true; and that he could not be accused of giving Offence by his Discourse, since he neither spake to the People, nor to ignorant Men, but to Men of Sense: That Truth ought never to give Offence; and that those who found any Fault with what he asserted, condemned themselves; shewing that they were ignorant of Antiquity, and that they were not capable of relishing the Truth.

When all the Divines had given their Opinions, and it was agreed what Articles were to be condemned, they pitched upon some Fathers, on August 6. to draw up the Decrees and Canons. There was some Difference among them: Some were for following the Articles which had been drawn up in 1551. Others were for composing new ones. The Archbishop of *Granada* was not for affirming, That Jesus Christ offered in the Last Supper, and instituted a Sacrifice in these Words, *Do this in Remembrance of me*. *Antonio de Pantusa*, Bishop of *Lettere* (d) in the Kingdom of *Naples*, demanded, that the Example of *Melchisedech*; the Passage in *Malachi*; the Adoration of the Samaritan Woman; the Oblation made by Jesus Christ in the Supper; and all the Reasons already alledged, might be inserted into the Decree. At last it was agreed to insert them all. Then they drew up a List of the Abuses which were daily committed in the Celebration of the Mass.

August 3. there was a general Congregation, to receive the Proxies of the Bishops of *Ratisbonne* and *Basil*. The Fathers receiv'd the last as Bishop of *Basil*, and gave him the Title, to vex the Men of *Basil*, who called him only Bishop of *Porentru*, (e) and not of *Basil*.

When the Matter of the Decree was proposed, the Archbishop of *Lanciano* was for leaving out the Chapters about Doctrine entirely. The Archbishop of *Palermo* was of the quite contrary Opinion; and their Disputes took up a whole Congregation. The same Thing being proposed another Time in a Congregation, the Majority were for continuing the Chapters about Doctrine. Then there were diverse Intrigues set on foot, to make an end of the Council. The Spanish Bishops were for refusing the Question concerning Residence, and wrote about it to the King of Spain. The Pope wrote to the Legates, to lay this Dispute asleep, and to close the Council as soon as ever they could.

August 10. the French Ambassadors, after having several Times desired that they would stay for the Bishops of that Kingdom, presented a Request to the Legates, containing, 'That His Most Christian Majesty having always been persuaded, that the Decrees of Councils which represented the Universal Church, being the Oracles of the Holy Spirit, ought to be observed and respected by Princes, who were touched with any Sense of Piety and Religion: He desired, That in these unhappy

[(c) Notwithstanding what *Paiva* did, to set his Partner right, *F. Paul* observes, that *Altaida* left the Council quickly after; and that his Name was printed in no Catalogues of the Divines that were at the Council, which came out after this Speech was made. So unable were the Bishops that sat in that Assembly, to bear the least Glimmerings of the Truth, from what Hand soever they came! It is observable, that *Pallavicini* has thought it requisite to deny

this Matter of Fact, because he saw it bore hard upon the Liberty of the Council: But his Arguments being all negative, *M. Du Pin* has thought fit to set them aside.]

[(d) *Lettere*, is a small Episcopal See, in the *Terra di Lavoro*, under the Archbishop of *Almase*.]

[(e) *Porentru* is a Town in *Franche-Compte*, within six Leagues of *Basil*, where the Bishop of that See usually resides.]

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Times, the holy, just, and equitable Decrees which should be made in this Council, might be consented to by the Enemies of the Church of Rome: That as for those who had not separated themselves, they needed not the Decisions of the Council, since they agreed with it in all those Points which are at this time disputed: That consequently his Majesty believ'd, that the Decrees would be more agreeable, if the Session were deferr'd till the Bishops of France (for whom the ancient Councils had a particular Regard) were come to Trent, and had joined with a great number of very holy and very learned Italian and Spanish Prelates: That the Cause of their Absence, which the Legates allow'd to be lawful, would in all Probability quickly cease: And that however, if it did not cease, yet they would certainly arrive before the End of September, the King having given them Orders about it. Besides, that the Protestants, for whom the Council was called, and who still said that they would come to it, would have less Reason to complain that too much Precipitation had been used in an Affair of so great Importance: That they ought not to imagine, that his Majesty's Demand tended to dissolve the Council, or to keep it idle, since, whilst they waited for the French Bishops, the Fathers might treat of Reformation, and might decide, if they pleased, the two Articles which remained, concerning the Communion of the Cup.

Legates Answer.

The Legates did not answer this Request immediately, expecting from Rome what Answer they should make to it. When they had receiv'd it, they communicated it in Writing to the Ambassadors; the Substance of which, was: 'That the French Bishops had been expected almost six Months before the Council was open'd; and that it having been open'd principally upon their Account, they had deferr'd the Examination of the most important Matters six Months longer: That after they had begun them, it would be dishonourable, nay burthensome to the Fathers, to stop in the midst: That besides, it was not in their Power to defer the Session, without the Consent of the Fathers; and consequently, that they could not expect from them a more positive Answer.' Hereupon the French Ambassadors desired they might be allow'd to apply themselves to the Assembly of the Fathers, to obtain the Delay they desired: But the Legates told them, that they had already been given to understand, as the other Ambassadors had likewise, that they could treat only with the Legates; besides, that the Council had declared, that for the future, the Ambassadors should never speak publicly in the Congregation, but only that Day in which they delivered their Letters of Credence.

complaints of the Ambassadors of France.

The French Ambassadors, who were not contented with the Legate's Answers, made great Complaints to the Bishops, and particularly to the Spanish ones; saying, that since the Ambassadors addressed themselves to the Council, it was very strange that they must treat only with the Legates, as if they had been sent only to them; tho' the Legates were properly only the Pope's Ambassadors, if he was look'd upon as a Prince; or his Proxies, if he were look'd upon as first Bishop; and as such only, the ancient Councils, always reputed him: Witness those of Nice, Ephesus, Chalcedon, Constantinople in Trullo, and the second Council of Nice: That the sole Cause of the Rupture between the Council of Basil and the Pope, was, that his Legates were for changing that ancient and laudable Custom: That a Council was held in a sort of Slavery, when they would not suffer them to hear the Propositions which Men had to make to them; and Princes were too much abused, when they were not permitted to treat with those who had the Management of the most important Affairs of their respective Estates: That they had not seen this Decree, which they were told had been made: That it would be convenient to see

it, and to know from whence it came: For (said they) if it comes from the Legates, they have strangely stretched their Authority; if the Council made it, let us see when, and how: Adding, that it was horribly unjust, that in the first Days of the third Opening of the Council, the Legates, assisted with a small number of Italian Bishops sent from Rome, should form, and cause to be rigorously observed, a Decree, setting forth, that nothing shall be proposed but by the Legates; whereby they took from the Princes and Bishops all Means of proposing a Reformation, such as the Service of God requires: And that, to amuse Mankind, Matters of Controversie were treated of in the Absence of the Protestants; which was of no use to the Catholicks, who did not question the Truth; and exasperated the Protestants farther, who saw themselves condemned without being heard. But all these Complaints did no good.

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August 11. the Bishops began to give their Opinions upon the Decrees concerning the Sacrifice of the Mass. A Dispute arose immediately, whether they ought to put a Preface before the Canons, to set forth the Doctrine. Castagna, Archbishop of Rossano, said, that such a Preface was useless, and contrary to the ancient Usage of Councils: That they had better keep up to the Simplicity which was observed in the Council of the Apostles, who only prefixed to their Canon, *It seemed good to the Holy Ghost and to us*: That nothing was more proper to keep up the Authority of this present Council, than to observe this Simplicity: That to go about to explain the Doctrine of the Canons, was to expose themselves to the Calumny of the Enemies of the Church: That wise Judges never give Reasons for their Judgments in their Sentences: That all that can be said to authorize the Doctrine of these Canons, being built only upon Tradition, they ought not to hope, that the Hereticks, who disowned that, should be moved by them; and that Catholicks needed no Arguments to prove it.

Bishops Opinions concerning the Decrees about the Sacrifice of the Mass.

The Bishop of Chiozza, to strengthen what Castagna had said, observed, that in Julius III's Time, there was an Exposition drawn up of the same Argument of the Sacrifice of the Mass; and that some Copies of it getting abroad, presently there appeared great Numbers of Papers, written by the Hereticks, to oppose the Doctrine therein contained. Some other Bishops were of a contrary Opinion, and said, it was necessary to give a short Explication of the Doctrine contained in those Canons; and that since in Julius III's Time there was such an Explication drawn, there ought to be one made now, that the Hereticks might not take an Occasion to say, that the Explication of the Doctrine of the Canons was suppress'd, because they afterwards found that the Reasons formerly advanced were false.

There arose afterwards another Question, Whether they should say, that Jesus Christ offer'd himself in the Supper, to his Father, as a Sacrifice; or only upon the Cross? And whether the Sacrifice of the Mass was propitiatory?

Cardinal Madrucci; Peter Antony de Capua, Archbishop of Otranto; Castagna; and several other Prelates, were of opinion, that Jesus Christ offer'd himself for us in the last Supper: And they cited several Passages of Scripture, and the Fathers, both Greek and Latin, to confirm their Opinion. Castagna said, that those that drew up the *Interim*, were of the same Opinion.

Antonio Pantusa, Bishop of Lettere, in the Kingdom of Naples, said, that Jesus Christ, by these Words, *Do this, &c.* commanded his Apostles, not only to take the Eucharist, and to consecrate it, which would not have been sufficient to make them Priests; but also to offer, and to make a Sacrifice for Sins, after his Example: And that since he offer'd himself as a propitiatory Victim in the Supper, we ought to say, that the Mass is a propitiatory Sacrifice: Adding, that this was the Opinion of St. Thomas.

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Du Bellay, Bishop of *Paris*, was of the same Opinion; and said, That it was not without a particular Effect of Providence, that the Fathers fell upon this Argument, which was one of the fundamental Points of Religion: That it was his Opinion, that Jesus Christ began his Sacrifice in the Supper, and finished it upon the Cross: He added, That he thought him a Heretick that thought otherwise.

Albert Duimio, a *Dominican*, Bishop of *Veglia*, said, on the contrary, That after one propitiatory Sacrifice, which had been offer'd, there was no need of another, if that is sufficient to expiate Sins, unless it be to serve for an Act of Thanksgiving: That it is absolutely necessary, that those who admit a propitiatory Sacrifice in the Supper, should confess, That we were redeemed by that Sacrifice, and not by that upon the Cross; to which however the Scripture attributes our Redemption: That to say, It is but the same Sacrifice which was begun in the Supper, and ended upon the Cross, is to fall into a like Absurdity: It being contradictory, to say, that the Beginning of a Sacrifice, is a Sacrifice: For then, if one should leave off after that Beginning, without going any farther, no Man would say that he sacrificed: That it cannot be said, That if Jesus Christ had not been obedient to his Father, even to the Death of the Cross, and had made no other Oblation but that in the Supper, that then we had been redeemed; that Oblation therefore cannot be called a Sacrifice, which was only the Beginning of one. He added, That he would not give those Reasons for unanswerable; but that the Council ought not to bind or captivate the Understandings of those who held an Opinion built upon so good Foundations: That tho' he made no Scruple of calling the Mass a propitiatory Sacrifice; yet he did not approve of its being said, That Jesus Christ offer'd in any Sort; since it is sufficient to say, That he commanded his Disciples afterwards to offer: For, said he, if the Council defines, That Jesus Christ offer'd; either this Sacrifice was propitiatory, or not: If it says, It was; then we fall into the former Absurdities: If it says, It was not; then we cannot conclude the Mass to be a propitiatory Sacrifice: On the contrary, it will be said, If the Oblation of Jesus Christ, in the Supper, was not propitiatory; that of the Priest, in the Mass, ought to be less so: Whence he concluded, that it was the surest Way to say, That Jesus Christ commanded his Apostles to offer a propitiatory Sacrifice in the Mass. This Discourse made so great an Impression, that almost all the Fathers were of opinion, that they should not say, That Jesus Christ offer'd a propitiatory Sacrifice in the Supper.

The Archbishops of *Granada* and *Braga*, said, That they agreed with the Bishop of *Veglia*, (f) That Jesus Christ offer'd only an Eucharistick Sacrifice in the Supper; that is to say, a Sacrifice of Praise and Thanksgiving; and not of Satisfaction and Expiation: And that they believ'd, that to think otherwise, was to derogate from the Sacrifice made upon the Cross.

Reception of F. Lainez, General of the Jesuites.

F. Lainez, General of the Jesuites, who was come back from *France*, whither he had been sent as Divine to the Cardinal of *Ferrara*, appeared in the Congregation of *August* 21. There was some Difficulty at first about his Place: For he being Head of an Order which was later than any of the rest, the other Generals of Orders, whether of Priests and regular Clergy, or of Monks, pretended, because of their Seniority, that they ought all to take place of him. *F. Lainez* represented, That his Society was not an Order of Monks, but of Priests; and the Legates were not willing to prejudice the Quality and Order of Priests to favour the Monks: So they made use of this Expedient, which the Pope approved of; namely, That *Lainez* should give his Opinion after the other Generals of Orders, who had a Right to vote in Councils; but then, as Ge-

neral of an Order of Priests, he should have an extraordinary Place among the Bishops. *August* 26. he spake alone, for three Hours together, of the Sacrifice of the Mass; of its Institution, Worth, and Effects: And to prove, That Jesus Christ offered himself in the Supper, and made a Sacrifice of himself; he produced several Passages of the Fathers, and particularly grounded his Opinion upon those Words in the Greek Text, *Which is shed for you*: Whence he inferred, That Jesus Christ made an actual and propitiatory Sacrifice at the Time of the Supper.

When the Fathers had given their Opinions, tho' their Votes were divided, yet the Legates, at the Desire of the Cardinal of *Warmia*, resolv'd to put the Word *Oblation* into the Decree, leaving out the Word *Propitiatory*.

When the Congregation was about breaking up, the Bishop of *Five Churches* made a Discourse; in which, having set forth all the Pains which the Emperor had taken for the Service of *Christendom*, and for the Restoration of the Purity of the Catholick Doctrine, not only since his coming to the Empire, but in *Charles V's* Life-time; he said, That his Imperial Majesty found the keeping away of the Cup was the Source of the Discord and Complaints of the *Germans*: That being desirous therefore, that this Matter should be treated of in Council, he had order'd himself and his Colleagues to represent to the Fathers, That Christian Charity did not allow, that, in order to have any Custom rigorously observed, they should neglect to reduce great Numbers of Souls to the Bosom of the Catholick Church, and to stop the Murders and Sacrileges which were committed in the most illustrious Provinces of the Empire: That there were a World of People, who, tho' they had not forsaken the Orthodox Faith, yet had a weak Conscience, which could not be cured, but by the Concession of the Cup: That when the Emperor moved the States of *Germany* for Supplies, to furnish the Expences of the War against the *Turks*, they immediately ask'd him for the Cup: That if it was refused any longer, they might expect to see the *Turks* enter not only into *Hungary*, but also into *Germany*; whence they would spread into the neighbouring Provinces: That the Church had always set it self to oppose new Heresies; and consequently the Use of the Cup would be a very good Argument to prove the Truth of the Eucharist against the Sacramentarians: That there was no need, as some said, that those who desired the Cup, should send an Agent on purpose to make the Demand; as had been done in the Council of *Basil*, because then there was but one Kingdom which desired the Cup; whereas now it is no longer one People, or one Nation, which desires the Cup, but an infinite Number of People spread in different Nations: That they ought not to wonder that the Pope did not grant this Favour, when it was asked of him; because Prudence required, that he should leave that Matter to the Council, to stop the Mouths of Hereticks, who would receive no Favours from the Holy See; as also, that he might not seem to derogate from the Authority of the Council of *Constance*; it not being decent, that the Use of the Cup, which a General Council had taken away, should be restored any other Way than by an universal Council: That besides, his Holiness was willing to put this Council into Credit, by giving it Liberty to grant a Thing which would be an Instrument of resettling Peace in the Church: That he had likewise Letters from *Rome*, setting forth, That the Pope thought this Demand was honourable and necessary, and was willing it should be directed to the Council. Then he presented that Article, That the Use of the Cup ought to be granted to the Emperor's Dominions, taking in all *Germany* and *Hungary*. As soon as it was read, there arose a Murmuring among the Fathers. The Cardinal of *Mantua*,

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Discourse of the Bishop of Five Churches, for the Concession of the Cup to the Lutherans.

[(f) *Veglia*, is a small Island in the *Adriatick*, joining to *Dalmatia*, not far from the Coast of *Istria*.]

to pacify them, said, That this Article determined nothing: That they might freely speak their Thoughts, when their Opinions came to be taken. September 3d. the French Ambassadors made new Sollicitations, that the Session might be put off for four or five Weeks; within which, the French Bishops would be there; and that in that Interval, they might treat of other Matters, which might be published with those examined already: That consequently the Council would not be at all retarded: That the Decrees would thereby be the more easily receiv'd in France: That the Bishops of Poland were expected: That it was for the Honour of the Council, that nothing should be precipitated; that so all the Faithful might be edified, when they saw that nothing was determined without the Participation of the Bishops of these two Kingdoms, which are so considerable in Christendom.

These Instances were made the Day before the Legates received Letters from the Cardinal of Ferrara, to acquaint them that the Cardinal of Lorrain and the Bishops of France would quickly set out with some Doctors of the Faculty of Paris. The same News was confirmed by several Letters written to several Prelates by their Friends, which added, That the French intended to touch upon the Question of the Superiority of the Council. The Legates, to whom these Prelates had shew'd the Letters which they had received, thought it necessary to dispatch the Articles agreed on with all Speed, and to close the Council; accordingly, they gave such an Answer to the French Ambassadors, as they had given them before; that the Council was summoned particularly for the French: That their Bishops had been invited, and expected so considerable a Time, that there was no Reason to keep so many Prelates any longer, in such Incertainty, at a Distance from their Flocks: That if they should abstain to publish the Articles that were decided, the World would believe, either that they did not agree among themselves, or that the Protestants Reasons were so powerful, that the Council could not tell what to determine.

The Sieur de Lansac being dissatisfied with that Answer, insisted upon their granting the Delay which he desired, complaining that he should be told, that the Council was called for the French, and yet that they should not wait for them, and that they could never obtain any thing from the Legates. He added, that they were so far from gratifying the King of France his Master, that they hastened Business so much the more to displease him: That he did not indeed take it ill of the Legates, knowing that they did nothing without the Pope's Order, but that they were much in the Wrong to take Umbrage at the coming of the French: That after he had tried to obtain so just a Thing, and which ought indeed to have been granted, even without their asking, they must of Necessity seek out for other Remedies. The Air with which that Ambassador spake this, made several Bishops fear that Things might come to some dangerous Extremities; and there was a Report spread abroad, that the Council was going to break up.

But the Legates, who still kept firm, prest the Dispatch of the Decrees which were to be published before the Session; and when they thought they were sufficiently examined, they proposed the Article of the Concession of the Cup.

Cardinal Madrucci, who spake first, was for granting the Cup; and gave this for his Reason, that the Council of Basil having formerly granted it to the Bohemians, to engage them to return to the Church, the Council of Trent ought to grant it with more Reason, since it was not only a Means of reducing the Hereticks from their Errors, but of hindring Catholics also from separating from the Church of Rome.

The Patriarch of Jerusalem was of a quite contrary Opinion, and said, that the same Reason for

which the Council of Constance refused the Cup, continued still; and that as they had found that the Permission which the Council of Basil, and Paul III. had granted of using the Cup, had been to no purpose, so the Council of Trent had Reason not to change the Custom.

Daniel Barbaro, Patriarch of Aquileia, said, The Emperor's Intentions might be good in the Demand which he made; but that it was to be feared, that these who put him upon making it, might not have so pure Intentions; and that it was remarkable, that the Bohemians had been engaged in those Errors before Peter of Dresden taught that Communion under both Kinds was necessary for Salvation, and Jacobellus, his Disciple, had written upon that Subject: That this Dogme, followed by John Hus, and Jerome of Prague, had only served to confirm that People in their former Errors; and that it was to be feared, if they once granted the Cup, That the Hereticks would take occasion to strengthen themselves in their pernicious Doctrine; saying, That since the Church of Rome yielded in this Point, it found its Error, and might one Day own that it was mistaken in the other Articles which they held, and which it now condemns.

The Patriarch of Venice was of the same Opinion.

The Archbishop of Otranto consented to have the Cup granted; but with these Restrictions, that the Cup should never be given but when they communicated in the Mass, that so they might not be obliged to keep the consecrated Wine, which might grow sour; and that the Pope did not give his Consent, because he being the supreme Head, the Council could not order any thing in that Matter, without consulting him.

The Archbishop of Granada, on the contrary, maintain'd, That this Matter ought not to be referred to the Pope: That the Council having once been assembled by his Authority, there to determine those things which should be proposed to it, the Decision of them no longer belonged to him, but to the Council; which ought only to consider, whether the Danger be not greater to grant the Cup, than to refuse it: That the Fear of shedding any Drops of the Blood of Jesus Christ, was inconsiderable, since that Accident had not been observed to be so frequent; but they ought rather to attend to the Insolence which the Hereticks would shew, if the Cup were granted to them; because it was to be feared that this might carry them to make other Demands: That it was his Opinion, that this Matter should be referred to the Bishops of Germany, that they might examine it in their Synods and provincial Councils, and see what was proper to be done for the Good and Quiet of Germany.

John Baptista Castagna, Archbishop of Rossano, was for denying the Cup, and said, That the same Reasons which formerly led the Church to take away the Cup, not only continued, but were more numerous: That the People being multiplied, there would be Want of several Hogsheads of Wine in some Parishes upon a solemn Day: That if the Cup were granted, a new Heresy would arise, whilst some believed that the Cup contained only the Wine, and the consecrated Bread only the Body: That it was not for provincial Councils to regulate a Matter of so great Importance, which it belonged only to the Pope to decide.

The Archbishop of Prague said, There were four Sorts of Persons in Germany; real Catholics, publick and obstinate Hereticks, secret Hereticks, and the Weak in the Faith: That the first were utterly against having the Cup granted; the second did not concern themselves about it; the third desired it, only to cover their Heresy the better, which only this way could be discover'd; whereas they might easily dissemble in every thing else, and consequently the Cup ought not to be granted to these for fear of fomenting their Errors: That for the Weak, they were only so out of an evil Opinion they had of

The History of the Council of Trent. the Power of the Church, and particularly of that of the Pope; that besides, they did not desire the Cup out of Devotion, because they were immersed in the Vanities and Pleasures of the World, so that they scarce confest and communicated once in a Year; consequently it did not appear that they desired the Communion under both Kinds out of a religious End, since that can only influence Men that lead a holy Life. He concluded, That they ought in Imitation of the Fathers of the Council of *Basil*, to choose five or six Prelates out of the Body of the Council, with some Divines that were good Preachers, to go in their Name and visit the Provinces which the Emperor mentioned, and grant the Cup to those who should desire it out of Devotion, or because they had been educated in that way, and had a Mind to return in good earnest into the Church.

Leonard Hallers, titular Bishop of *Philadelphia*, though a *German*, said, That he rather chose to displease Men, than to betray his own Conscience: He owned there was danger in refusing to grant the Emperor a Favour which he desired; but on the other side it was a pernicious thing to grant it: That the use of the Cup could not be restored, without danger of spilling the Blood of Jesus Christ, if it was carried very far, and in ill Roads: That the Hereticks would boast, that they had opened the Eyes of those who were devoted to the Church of *Rome*, and had shewn them the Truth; and without doubt those that asked for the Cup, believed that the Precept of Jesus Christ could not be observed without it. As an immediate Proof of this, he read something out of a *German* Catechism, which he turned into *Latin*. He added, That this Concession would mortify the Catholics, and for some few whom it would gain, it would lose infinite Numbers of others: That when the Catholics saw themselves bend and comply with the Usages of the Protestants, they would question on which side the Truth lay: That if this Favour were granted to the *Germans*, other Nations, and particularly the *French*, would have a Right to demand it: That the Hereticks desired, by this Demand, to make a Breach upon the Constancy which they found in the Catholics, in the Defence of their Doctrine. And he concluded, That they ought at least to stay till the End of the Diet, that the Prelates of *Germany* might send to the Council, approving herein the Archbishop of *Granada*'s Advice, who was for deferring it.

Thomas Casello, Bishop of *Cava*, was of opinion, That the Cup ought never to be granted to the Laity.

Dom Bartholomew dos Martires, Archbishop of *Braga*, only said, That those who shew'd so great a Concern for the Cup, had some Seeds of Heresy in their Hearts; and he did not think it convenient that those Ambassadors who made this Demand should beat the Congregations, because they might influence some Bishops, and hinder them from delivering their Opinions so freely as they would otherwise do.

Giles Falcetta, Bishop of *Caorle*, demanded likewise, that the Ambassadors should withdraw; and several other Bishops besides desired the Legates to exclude those Ministers from all the Congregations, whilst this Affair was depending; saying, it was enough if they knew the Resolution of the Council at last: But some others replying, That these Ambassadors, whom this Matter did most nearly concern, had more Right than others to be present; and that it was against the Customs of Councils to exclude the Interested Persons. The Legates, who found that they could not be shut out without disturbance, since they had hitherto constantly admitted them, were resolved to make no Innovation.

The Bishop of *Conimbra* was of opinion, That the Disposition of this Favour should be left to the Pope, under these five Conditions: That those who were to receive it should abjure all Heresies, and

should swear expressly to believe, that either Species contains as much as both, and that more Graces are not received under both Species than under one: That they should drive away Heretical Preachers, and take Catholick ones in their rooms: That they should not keep the Cup at their own Houses, nor carry it to the Sick: That the Pope should not leave this Matter to Ordinaries, but send Legates upon the Spot: Lastly, That the Council should make no Determination about it, because it would scandalize infinite Numbers of Catholics, and make the Hereticks more insolent, when it should come to be published; besides, that it was by no means proper to expose such a Concession to the View of the whole World.

The Bishop of *Modena* maintained, That this Favour could not be refused, because, according to the Council of *Constance*, the Church having always reserved to it self a Power of granting it, it shew'd there were such Conjunctions, in which this might be necessary. That *Paul III.* having found by the Experience of many Years, that the denying of the Cup brought no Advantage, and that they could never reduce the *Bohemians*, sent Nuncios to grant its Use; which besides is agreeable to the Institution of Jesus Christ, and to the Practice of the Primitive Church.

Gaspar Casal, an *Augustinian* Monk, Bishop of *Leria* in *Portugal*, said, That he was not surprized at this Variety of Opinions; because these that were gainst granting the Cup followed the Opinion of the Moderns, whereas those that were for having it granted, grounded upon Antiquity, upon the Council of *Basil*, and upon the Example of *Paul III.* That in this Variety of Opinions he was for granting it, because the Thing was good in it self, and even useful and necessary under the Conditions proposed: That since this was a Means to reconcile Mens Minds, it was absolutely necessary that those who loved the Salvation of their Brethren, should use it: That they could not doubt of its being necessary; when they had the Emperor's Authority for it: That he did not think God would suffer his Imperial Majesty to want Wisdom in an Affair of that Importance; and so much the more, because *Charles V.* made the same Judgment, and the Instances of the *French* and the Duke of *Bavaria*, confirmed him more in that Opinion: That if they apprehended that Secular Princes might be misinformed in this, which was an Ecclesiastical Matter, yet they ought to believe the Bishop of *Five Churches*, and the two Bishops who were Ambassadors from the Clergy of *Hungary*. This Prelate's Speech, who past for a very holy and a very sensible Man, not only confirmed those that were of his own Opinion, but shook several who were of the contrary Party.

Bernardinus de Cuppis, Bishop of *Osimo* in *Marca Anconitana*, only said these Words, *I think we must drink this Cup one way or other: God grant it may be to our Advantage.*

John Baptista Ostus, Bishop of *Rieti*, made a long Discourse to prove that Councils have always taken the opposite side to what the Hereticks have taught: That some converted *Jews* having urged the Observation of the Ceremonies of the old Law, the Apostles forbid and abolished the Use of it; and that there might not be so much as any Footsteps of it left, they ordered the Assemblies of Christians for the future should be held on *Sundays*, and not on *Saturdays*: That *Nestorius* having affirmed, that *Mary* was the Mother of Jesus, and not the Mother of God, the Council which was held against that Heretick, declared, That *Mary* should be called for the future *The Mother of God*: That in a Council of *Toledo* it had been decreed, that Children should not be plunged three Times in Baptism any more, that any Appearance of the Repetition of Baptism

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by that triple Immersion might be taken away, because the *Donatists* were for repeating Baptism: That when the *Bohemians* pretended that the Use of the Cup was of divine Right, the Council of *Constance* prohibited the Use of it; and so since the Council of *Trent* has the same Error to oppose, the Cup ought not to be granted to the People of *Germany*; but they ought to pursue the Maxims of all precedent Councils: That the Authority of the Council of *Basil* was not to be urged, since Experience had let them see sufficiently, that the Church reaped no Advantage from the Use of the Cup, which it had allow'd, which on the contrary, served only to make the Hereticks more insolent. He added, that he did not question but the Emperor had a very good Design in his Demand of the Cup; but then they ought to let his Imperial Majesty know, that such a Demand was very prejudicial to his States. He also pray'd the Legates not to listen to those that proposed to refer this Matter to the Pope, because they spake very confusedly; and that to avoid Confusion, they ought to answer *Yea* or *No*, and to set down the *Yea's* and *No's* by themselves, as had been done on other Occasions.

John Munnatoncz, an *Augustine* Monk, Bishop of *Segorbe*, said, that he was for granting the Cup at first; but having heard the Bishop of *Rieti's* Arguments, his Conscience obliged him to alter his Opinion: That the Council ought to take care not to prejudice others, whilst they labour'd in this Matter to please the Emperor.

Peter Danez, Bishop of *Louvain*, gave no Opinion concerning the Concession or the Refusal of the Cup, only spake against those who were for referring the Decision of that Matter to the Pope. He said perhaps his Holiness would be offended, since when the Emperor had address'd to him about it, he referred it to the Council: Now, whether he could not, or would not decide it, it was evident he was not willing to take the Burthen of it upon himself; and besides, it would give his Adversaries a Handle to calumniate him, who would not fail to say, that this referring by the Pope to the Council, and by the Council back again to the Pope, was a Trick to deceive the World. Then coming to the Merits of the Clause, he said, either they would refer this Matter to the Pope, as to a Superior, or to an Inferior: Now, in either Case, it was just to refer it to him, till it was determin'd, which was the superior Power: And since both of them would support their own Interests, this would engage them in a Dispute, which would open a Gate to Divisions: Whence he concluded that no wise and prudent Bishop would consent to such a Reference, till he knew beforehand how it ought to be made.

This Discourse rais'd a Murmuring amongst the Bishops of the Pope's Party; but it did not last long, because the Bishop of *Five Churches* rose immediately, and gave his Opinion as a Bishop, and declared for the Concession of the Cup; and said at first, that he would not answer the Reasons drawn from shedding the Wine, because had that Danger been inevitable, the Council of *Constance* had reserved a dispensing Power to it self to no purpose: That the Reasons of those who voted for the Refusal, appeared very weak to him, and very incapable to convince him, even tho' he had had no practical Knowledge of this Matter, which depended more upon Experience than Speculation: That those that said the Concession of the Cup had done no good in *Bohemia*, knew very little what had past in that Country: That he could assure them the Permission of the Fathers of *Basil*, had preserved great Numbers of Catholics in *Bohemia*: That since that time, they had always lived in Peace with the *Calixtines*, and that very lately that Sect had own'd the new Archbishop of *Prague*, and received Orders from his Hands: That to those who were apprehensive that other Nations

might incline to Innovations, he could answer, that this Example would not encourage them, because they being willing to preserve Purity in Religion, and being without any Mixture of Hereticks, would not have the Cup, if it were offer'd them: That the *Germans* were the more eager for it, because it was obstinately refused them; whereas if it were granted to them, in time they would not be desirous of it: That the Fear of their making other Demands, if this were granted, was vain; and however, if they should make them, the Church had still a Right and a Power to refuse them: That their Demand could not be called an Innovation, since it had been granted by the Council of *Basil*, and by Pope *Paul III.* and it had succeeded then, if that Pope's Ministers had had more Courage, and had not suffer'd themselves to be scared by the impertinent Sermons of some Monks: That he was very much scandalized at one Reason which had been urged, that as the Church could not receive any Man that would be willing to come in, if Fornication were allow'd him, so we ought not to receive People who were willing to be reconciled, if they were allowed the Cup; because the first Condition was evil in it self, and the second, only because prohibited. To the Bishop of *Segorbe*, he replied, that the Emperor desired the Cup for his Subjects, as an Act not of Justice but of Favour, and that without doing Injury to any other Prince. He fell with some Sharpness upon those that said, that the Care of this Matter ought not to be left to the Bishops, but to Delegates appointed on purpose by the holy See; asking them, whether they thought that an indifferent Thing might not be trusted to Men, to whom the spiritual Government and the Salvation of Souls had been entrusted? or whether they thought such a Commission was above the episcopal Jurisdiction? He added, that to refer it to the Pope, was to overload him with needless Trouble. To the titular Bishop of *Philadelphia* he replied, that the Catholics, instead of being troubled, would find themselves at Ease, when they could live at Union with those who now gave them so much Trouble. As for those who would have the Cup ask'd for by Agents on purpose, he said, they ought not to be surprized, if no Man came to ask this Favour of them, since the Emperor was willing to ask it in their Name; but in short, if the Fathers desired it, that his Imperial Majesty could send them great numbers of Deputies; but then, since the Council would not give so ample a safe Conduct as the *Germans* required, lest so many Protestants should come as might give some Alarm; they ought to take greater Security in this Conjunction, when very many more Persons would come to ask the Cup. He conjured the Fathers to have Compassion upon those poor People, and to consider the Petition of so great a Prince, who so ardently desired the Union of the Church, and who never spake of this Matter, but with Tears in his Eyes. In the Close, he complain'd of the Passion of several Prelates, who out of a vain Fear of seeing Changes in their own Countries, cared not though they saw others ruin'd. He inveighed against the Bishop of *Rieti*, who took the Emperor for a Prince that was ignorant of the Affairs and Concerns of his Dominions, and who presumed to teach him, when he understood nothing but to wait upon Cardinals at their Tables. He said he had a great deal still to answer to those who seemed to have a Design to challenge him; but he thought it more convenient patiently to suffer their Insults. He repeated what he had said formerly, that if the Cup was refused, the Council had better never have been held, since several Nations which still retained their Obedience due to the Pope, upon Hopes of obtaining this Favour, would entirely separate from the Church, when they saw themselves frustrated.

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Andrea Decussta, Bishop of *Leon* in *Spain*, said, the good intentions of the Emperor, and the Duke of *Bavaria* were not to be questioned; nor was it to be disputed, whether the Church could allow the use of the Cup; but that they ought only to consider what they had to do: That he was of opinion, that the Conduct of the ancient Fathers, and the perpetual Usage of the Church, which never condescended to the Demands of the Hereticks, ought to be imitated: That the Council of *Nice* never granted them the least thing, tho' the World seemed then ready to fall into Confusion: That the Doctors of the Church always abstained from Terms used by Hereticks, though they were capable of a good Sense: That the Protestants would not be contented with the Concession of the Cup: that the Catholics, would be discontented, and very great numbers would be lost under a very uncertain Hope of reducing some Hereticks: That the Silence of the Bishops of *Germany* in the Matter of the Cup, was a mighty Argument that this Demand was not made out of a Motive of Devotion, of which those People gave no Signs: That he could not imagine they were Penitents, or desired to return into the Bosom of the Church, since they obstinately refused to enter in till they have obtained the Favour they desired: That this Obstinacy plainly shew'd Faith was not at the bottom: That if the Council of *Basil* formerly granted the Cup to the *Bohemians*, it was because they submitted themselves entirely to the Discretion of the Church, which thus rewarded their Submission: That that could not be properly called a Remedy which was not necessary in the Nature of Things, but only through the Malice of Men: That the Council ought not to cherish or foment that Malignity: That they sufficiently imitated the Example which Jesus Christ set them, of seeking after the lost Sheep, when they were called with so many Prayers: That if the Cup was to be granted, it were better that this Favour came from the Pope, because he could at any time revoke it, if those to whom it should be granted failed in the Conditions that might be prescribed to them; whereas if the Council should grant it, they might pretend that the Pope could not make it void, and say that his Authority was not above the Council's.

Antonio Goronnero, Bishop of *Almeria* in *Andalusia*, said, that the Reasons urged for the Concession of the Cup confirmed him in the Negative: That tho' God gives several Assistances to the Impenitent, as Preaching, good Inspirations and Miracles, yet he permitted the Use of the Sacraments to none but Penitents: That a well regulated Charity ought rather to apply it self to preserve Catholics, than to bring back those that are gone astray: That they ought to imitate the Council of *Constance*, which, that it might preserve the true Sons of the Church; forbade the Communion of the Cup, which *John Hus* taught and recommended: That they ought to do the same with the Lutherans: That this Concession would open a Gate to infinite numbers of Evils, and especially to a Demand of Marriage of Priests, of suppressing of Images, of retrenching of Fasts, and several other Holy Institutions: That they would propose all these things as the only and necessary Means of Re-union with the Church: That the least Change in Laws, produces great Disorders, especially when it is made in favour of Hereticks: That he would never advise the Pope to grant the Cup, though it would be much less dangerous to come from him, than to come from the Council, because of the Idea which the People have of the Authority of a Council, though the Supreme Authority really resides in the person of the Pope: That if his Holiness granted the Cup, there was no need of giving the Bishops a Commission to dispence with it; who though they had hitherto been good Men, yet in Process of Time they might be corrupted by Interest.

Francisco del Garlo, Bishop of *Lugo* in *Gallicia*, exhorted the Fathers with great vehemence to beware, lest whilst they strove to avoid Difficulties, or to content Princes and People, they might derogate from the Dignity of General Councils; which, having been always revered in the Church, and having supported the Faith, deserved well that Men should not suffer their Authority to be despised for Worldly Interests; and consequently, that they ought to keep firm to the Article of the Council of *Constance*.

Ferome Guerrini, Bishop of *Imola*, speaking in such sort of Language, raised the Authority of Provincial Councils, to confirm his Opinion that the Cup should be refused; saying, that their Decrees ought to be observed as so many obligatory Laws, till the contrary had been determined in a General Council. In the heat of his Discourse he happen'd to say, that a General Council had no Superior: Thereupon the Bishop of *Chonad*, who sat next *Visconti*, said to him, See a little how you Italians speak of the Pope. The Bishop of *Imola* perceiving his slip, endeavoured to repair his Mistake the best he could. This however did not content Cardinal *Simoneta*, who reproached him in particular, with exalting the Authority of Councils, only out of spite to the Pope, because he had not given him his Bulls Gratis.

The last Congregation was held September the fifth. Among those who spake, *Richard of Verceil*, Regular Abbat of *Prevalat* at *Genoa*, being for the Negative, said, this Article had been decided by the Council of *Constance*; and so they could not avoid refusing the Use of the Cup, unless they acknowledged that the Church assembled in a General Council had erred at that time: That when the Council had made that Decree, this Demand favoured of Heresy and Mortal Sins. Hereupon there was a great Murmur, which obliged the Cardinal of *Mantua* to bid the Abbat hold his Tongue, who stop'd short, ask'd Pardon, and ended with saying something in his own Justification.

John Baptist d' Asti, General of the Servites, grounded his Opinion upon the Council of *Constance*, as that which had first given Sentence upon this Matter, and exalted it above all other General Councils, saying, that it had deposed three Popes. These last Words were not very well taken; but they were past gently over, that they might not stir up so many Things at one time.

F. Lainez, General of the Jesuits, spake last. He used no other Reasons for saying that they ought to refuse the Cup, but what the Prelates had urged, who spake before him.

The Prelates, to the number of one hundred and forty six having given their Opinions, their Votes were counted. Fourteen Bishops were for putting off the Decision of the Matter of the Cup to the end of the Council; thirty eight were for refusing it; twenty nine for granting it; twenty four for referring it to the Pope; thirty one for remitting it to the Bishops; and ten for praying the Pope to send Delegates into *Germany*.

The Legates who were willing to content the Emperor, not knowing how they could do it, the Majority of Voices being for the Negative, resolved to try to refer it to the Pope, fancying that those who opposed the Concession would agree to it: Whereupon they order'd *James Lomellino* Bishop of *Mazara*, and *Visconti* Bishop of *Vintimiglia*, to try what could be done about it. The three Patriarchs yielded to the Persuasions of the Legates, and drew along with them all the Bishops that were Subjects of *Venice*, who were very numerous. After the Legates had got as many Voices as they could, they thought they had got over all their Difficulties: So they resolved to write a Letter to the Pope, and to send him a List of the several Opinions; but whilst they were contriving how to Pen this Letter, the Bishop of *five Churches* getting some notice of it, declared

Result upon the Opinions concerning the Concession of the Cup.

The History of the Council of Trent. declared he would not be at quiet; unless there was a Decree publish'd next Session; laying, that when the two Articles that were reserved in the foregoing Session were decided, they ought to proceed to Publication.

The Cardinal of *Warmia* remonstrated to him the Difficulty and the Danger of proposing that Decree, and conjured him to be contented with a Letter to the Pope, from whom he might obtain what he desired; but that Bishop being resolute, the Legates were forced to make a Decree for next Session: But when he demanded besides, that it should be inserted into the Decree, that the Council thought it convenient to grant the Cup, and left it to the Pope to prescribe the Conditions; the Legates told him, that most of those that voted to have it referred, were for it only, because they question'd whether a Concession would be convenient; and consequently that they would be all against the Decree, and that for the present, there was no persuading them to have it put into the Decree, that the Cup was granted by the Council.

Decree concerning the Sacrifice of the Mass, approved. The Bishop of *five Churches* submitted to these Reasons. Then it was proposed to draw up the Decree, about the Sacrifice of the *Mass*, and so to go from thence to the Proposition relating to the Communion. This was opposed by the Cardinal of *Warmia*, who proposed another Form of a Decree concerning Jesus Christ's offering of himself in the Supper, which did not pass. At last, after several Disputes, the Decree of the Sacrifice pass'd in the Congregation of *September 7*. notwithstanding the Oppositions of the Archbishop of *Granada*.

Articles of Reformation proposed. Ten Articles were also proposed concerning Abuses committed in the *Mass*, which they began to examine in *September 9*. and they quickly went through them. Then fourteen others were presented upon several Matters of Reformation; of these fourteen they struck out three: The first, in which it was said, that Pensions upon Bishopricks and Cures should be reduced; the second, that Pensions upon Bishopricks should not exceed 1500 Livres; and the third, that Bishops should not try Causes relating to Pensions exceeding such a Sum, in the first Instance.

When they came to give their Opinions upon the eleven Articles, the Bishop of *Paris* said, he was very much surprized, that such inconsiderable Matters relating to reformation should be proposed: That the Word had for these last 150 Years demanded a Reformation in the Head and Members, and it had been always eluded: That it was necessary they should shew they acted in earnest, and not in jest: That he wished that the *French* also might be heard concerning the Affairs of their Kingdom, where a Reformation had been made in the States that were held at *Orleans*, which was more advantageous than what was now proposed in Council. The Bishop of *Philadelphia* also said, that *Germany* was in expectation to hear that Articles of Consequence were treated of.

John Suarez, Bishop of *Conimbra*, said, that he did not for his part dislike having the smallest things treated of in the Council; but then he thought it was for the Dignity of the Council that some Order should be observed, which might shew why one thing was proposed rather than another: That Reformation ought to begin in the Head, and be continued down to the Cardinals and Bishops, and so end afterwards with all the other Members; whereas if it were continued as it had been begun, he was very much afraid they would expose themselves to the Indignation of the Catholics, and the Scorn of the Protestants.

The Bishop of *Segovia* said, the Council acted upon this occasion, like an unskilful Physician, who either applied Lenitives to mortal Wounds, or else only rub'd them with Oil.

Francisco Blanco, Bishop of *Orense*, complained of the Pope's granting so many Privileges to *Crusades*, and the Fabric of *St. Peters*, by vertue of which, every Man in *Spain* would have a *Mass* said in his own House: That if these Concessions were not moderated, the Ordinances of the Council would be to no purpose: That a Declaration ought to be made, that the Decrees of the Council obliged the Head. A noise being made upon this, he held out his Hand, desiring he might explain himself, and said, that he meant it only as to directing, and not at all as to constraining; adding, that some way must be found out to stop all Processes in Beneficiary Matters, or at least to shorten them and make them less frequent, because it all tended to the Ruin of both Parties, to the lessening of the Worship of God, and to the Scandal of the People.

Draskowitz, Bishop of *five Churches* spake next, and said, that if he had formerly asserted that Benefices were given to vile and unworthy Persons, he thought this was a proper Opportunity to justify himself from the Reproaches which had been made him: That in order thereunto, it was sufficient for him to declare, that he only intended to lay open the Abuse which some Princes were guilty of, who recommended such kind of People to the Pope, with an Earnestness that might be called Importunity; and that if Bishopricks were given at the Choice of the Pope, they would be better filled by the meanest Offices of his Holiness, than by those who were presented to him.

The *Spanish* Agent also complained of the excessive Authority, which the eighth Chapter about Reformation gave to Bishops over Hospitals, Banks, of Piety, and other Places of that sort, because this was contrary to *Urban II's* Bull, which he granted to Count *Roger* in favour of the Kings of *Sicily*; which declares them Lords in Spirituals in that State, as born Legates to the Holy See. The Legates, to appease this Agent, said, they would add a Clause to except those Places which are under the immediate Protection of the holy See.

At the same time the Pope, who could not defend himself from the Sollicitations of the *French* Ambassador, to order the next Session to be prorogued, wrote to the Legates, that if they thought it convenient to prorogue the Session, he would consent to it. *Proposition to prorogue the Session rejected.*

When the Legates receiv'd this Letter, *September 14*. they consulted together about proroguing the Session: But Cardinal *Simoneta*, who saw through the Pope's Meaning, opposed it; and the other Legates, tho' they were inclinable to have it delay'd, yet durst not stand resolutely against the Cardinal; so they resolv'd together, to hold the Session at the Day appointed.

Next Day the Legates caused the Decrees which had been drawn up concerning the Abuses of the *Mass*, and the eleven Articles of Reformation to be read; and they were approved of. They order'd also the Decree about Communion under both Kinds to be read, which occasion'd abundance of Difficulties. Several were of opinion, that it should be wholly left to the Judgment of the Pope, and that it should be inserted, that that was with the Approbation of the Council: Others, on the contrary, were for having it decided by the Council: Others, particularly, the Ambassadors, demanded that it might be sent back to the Pope, without adding that Clause, *With the Approbation of the Council*. Since nothing could be decided in that Congregation, next Day there was a general Congregation held, in which the Legates at last perceiving, that it would be more honourable for the Pope that those who desired the Cup, should own their Receipt of that Favour wholly from the Pope, so contrived it that the Decree was approved, and the Clause, *With the Approbation of the Council*, was not put in. *Decrees concerning Reformation & Communion of the Cup approved.*

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French
Ambassa-
dors Pro-
posed a
Prorogation
of the
Session
rejected.

Deputies to
the Coun-
cil from
the Facul-
ty of Divi-
nity of Pa-
ris.

Opening
of Session
XXII.

Letters
concerning
the Pa-
triarch of
Muzal.

The French Ambassador having new Orders from the King, dated September 6, to demand that the Session might be Prorogued till October, that nothing might be determined in the Council, without the Participation of the Bishops of France, who would at that Time be come to Trent, demanded Audience of the Legates, and laid before them the Orders which he had received from his Most Christian Majesty. The Legates told him, That the Bishops of France should always be very welcome, and they should hear them with Pleasure; but that they could not Prorogue the Session, in which nothing should pass which should be prejudicial to what they could propose: That the Majority of the Prelates were absolutely for it; That it would be dangerous to choak them, especially since they had expected the French Prelates so long, with so great Inconveniency.

September 16. The Faculty of Divinity of Paris being met, named twelve Doctors to go to the Council; namely, Messieurs Maillard, Pelletier, de Mouchi, de Bris, Hugonis, Vigor, du Pré, Palliet, Fournier, Caignet, Brochard and de Saintes.

September 17. The Legates and 180 Prelates went with the usual Ceremonies to the Cathedral Church. The Archbishop of Otranto sang Mass; and Viscconti, Bishop of Vintiniglia, preach'd. He made use of the Comparison of Civil and Natural Bodies, to shew how monstrous a Council of Bishops was without a Head: The Function of a Head, says he, is to diffuse a certain Virtue through all the Members, as it is the Function of the Members to have more Care of the Preservation of their Head than of themselves; and that they ought to expose themselves to every thing, to defend it. It is, said he, according to St. Paul, the great Fault of Hereticks not to know the Head; and this also is the Reason why one sees so little Connexion in the Bodies which they form. He proved in few Words, That Jesus Christ is the invisible Head of the Church; and took great pains to shew that the Pope was the visible one. He commended Pope Pius's great Care to provide for all the Necessities of the Council, and added, that every Man ought to remember the Obligation he lies under to maintain the Dignity of his Head. At last, when he had exalted the Piety and Modesty of the Pope, he concluded with a Prayer to God, That the End of the Council might be as glorious as the Beginning.

When Mass was done, they read the Letters of the Cardinal de Mula, who, as Protector of the Christians of the East, sent the News to the Council, of the Arrival of Abdissu, (g) a Monk, Hermite of the Order of St. Anthony, and Patriarch of Muzal in Assyria, beyond Euphrates; who, when he had visited the Churches of Rome, paid his Obedience to the Pope, and received the Pall. That Cardinal took Notice in his Letters, That the People were subject to this Patriarch, had been instructed in the Faith by the Apostles St. Thomas and St. Thaddeus, and by Mark, one of their Disciples, as that Patriarch informed him: That their Belief was the same with that of the Church of Rome: That they had the same Sacraments and the same Ceremonies: That they had preserved Books which had been written ever since the Apostles Times: That this Patriarchat reaches even into the Heart of the Indies, and takes in abundance of People who are subject to the Turk, the Sophi of Persia, and the King of Portugal. Upon this, the Portuguese Ambassador stood up, and made his Protestation; declaring, That the Eastern Bishops who were the King of Portugal's Subjects, owned no Patriarch but the Archbishop of Goa, who alone, is Primate of all the Indies. When these Letters were read, the officiating Prelate past on to read the Decree concerning the Mass, which was conceived in these Words.

The Holy, Oecumenical and General Council of Trent, lawfully assembled under the Guidance of the Holy Spirit, the same Legates presiding there, in order to maintain and preserve in the Holy Catholic Church, the Primitive Faith and Doctrine perfectly pure and entire, which relates to the great Mystery of the Eucharist, by driving away all Error and Heresies, being instructed by the Illumination of the Holy Ghost; declares, teaches and wills, That the Things which follow, be preached to the Faithful, concerning the Eucharist, considered as the real and only Sacrifice.

Chap. I. Forasmuch as under the Old Testament, according to the Apostle St. Paul, there was nothing Perfect, because of the Weakness of the Levitical Priesthood, there was a Necessity (God the Father of Mercies so ordaining it) that there should another Priest arise, according to the Order of Melchisedech; namely, Jesus Christ our Lord, who can consummate and bring to Perfection all those who are to be sanctified: He therefore, our God and our Lord, tho' he was to offer himself upon the Altar of the Cross unto God his Father, and there to die, to work our eternal Redemption; yet, because his Sacrifice was not to end by his Death, in the Last Supper, that Night in which he was betray'd, that he might leave to his beloved Spouse, the Church, such a visible Sacrifice as the Nature of Man requires, which might represent that Bloody Sacrifice which was once to be fulfilled upon the Cross, and preserve its Memory to the end of the World, and that its saving Virtue may be applied for the Remission of those Sins which we daily commit, declaring himself to have been established a Priest after the Order of Melchisedech, offered to God his Father his Body and Blood, under the Species of Bread and Wine; and gave them, under the Symbols of these same Things, to his Apostles, to receive, whom he then made Apostles of the New Testament; and, by these Words, *Do this in Remembrance of me*, commanded them, and their Successors in the Priesthood, to offer them; as the Catholic Church has always understood and taught: For after he had celebrated the old Passover, which the Congregation of the Children of Israel sacrificed in Memory of their going out of Egypt; he instituted the new Passover, that is to say, he gave himself to be sacrificed in the Church by Priests, under visible Signs, and in Memory of his Passage from this World to his Father, when he redeemed us, by the shedding of his Blood, from the Power of Darkness, and translated us to his own Kingdom. This is the pure Offering which cannot be defiled by the Unworthiness or Malice of those that offer it, which the Lord foretold by Malachi, should in every Place be offered pure to his Name, which should be great among the Heathen: This also is that which the Apostle St. Paul, writing to the Corinthians, plainly hints at, when he says, That those who are defiled by partaking of the Table of Devils, cannot partake of the Table of the Lord; meaning the Altar, in both Places, by the Word Table. Lastly, This is it, which, in the State of Nature, and under the Law, was typified and represented by several sorts of Sacrifices, as that which contained all those good Things which were signified only by the Others, of which it is the Accomplishment and Perfection.

Chap. II. And forasmuch as the same Jesus Christ, who offered himself once, by the Effusion of his Blood, upon the Altar of the Cross, is contained and sacrificed without Effusion of Blood, in this Divine Sacrifice which is performed in the Mass: The Holy Council teaches, That this Sacrifice is truly Propitiatory; so that if we draw nigh to God with a sincere Heart, a stedfast Faith, in the Spirit of Fear and Reverence, being contrite and penitent, we shall obtain Mercy, and find Grace and Succour in Time of

[(g) Abdissu, I believe, a Corruption of Ebed-Jesu, i. e. The Servant of Jesus, which is a common Name among the Syrian Christians.]

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Need: For our Lord being pacify'd by this Offering, and granting Grace and the Gift of Repentance, forgives Sins, even great Crimes, since this is the same and only Sacrifice, and this is the same Person who offer'd himself formerly upon the Cross, who now offers himself by the Ministry of the Priests; the Difference being only in the Manner of the Offering, since by this bloodless Offering we receive in abundance the Fruits of that which was made by the Effusion of Blood; so far is this from derogating from that in any sort: For which Reason, it is offer'd, according to apostolical Tradition, not only for the Sins, Punishments, Satisfaction, and other Necessities of the Faithful who are still alive; but also for those who are dead in Christ Jesus, and who are not yet entirely purged.

Chap. III. Though it has been customary in the Church to celebrate Mass sometimes, to the Honour and Memory of the Saints; yet it does not teach, that the Offering is made to them, but only to God who has crowned them: The Priest therefore never says, I offer this Sacrifice to thee *Peter*, or to thee *Paul*; but giving God Thanks for their Victories, he implores their Protection; that so, whilst we remember them upon Earth, they may vouchsafe to intercede for us in Heaven.

Chap. IV. And as it is decent that holy Things should be holily administred, and as this Sacrifice is, of all holy Things, the holiest; so, to the end that it may be offer'd and received with Dignity and Reverence, the catholick Church has, several Ages since, drawn up a holy Canon, so pure and free from Error, that it contains nothing which does not entirely favour of Holiness and Piety, and which does not raise the Minds of those who offer that Sacrifice up to God; it being composed only of the Words of our Lord, the Traditions of the Apostles, and the pious Institutions of holy Popes.

Chap. V. The Nature of Man being such, that he cannot easily raise himself to the Meditation and Contemplation of divine Things, without the Assistance of outward ones; the Church, as a good Mother, has, for that Reason, established certain Usages; such as pronouncing some Things in the Mass with a low Voice, and others with a higher; and has introduced Ceremonies, such as mystical Benedictions, Luminaries, Censings, Vestments, and several other things of the like nature, according to the Discipline and Tradition of the Apostles; thereby to make the Majesty of so great a Sacrifice commendable, and to raise the Minds of the Faithful, by these sensible Signs of Piety and Religion, to the Contemplation of the great Things hidden in this Sacrifice.

Chap. VI. The holy Council would be glad, that at every Mass, all the Faithful that are present would communicate, not only spiritually, out of an inward Sense of Devotion, but also by a sacramental Reception of the Eucharist; that so they might partake more abundantly of the Fruit of this most holy Sacrifice: However, since this is not always done, it does not condemn private Masses, as unlawful, in which the Priest alone communicates sacramentally, but rather approves and commends them; because those Masses ought indeed to be look'd upon as common, both because the People communicate in them spiritually, and because they are celebrated by a public Minister of the Church, not for himself alone, but for all the Faithful who belong to the Body of Jesus Christ.

Chap. VII. The holy Council also taketh notice, that the Church has commanded the Priests to mingle Water with the Wine which is to be offer'd in the Cup, both because it is probable that our Lord Jesus Christ did so, and because Water came out of his Side with the Blood; and consequently, by the Mixture which is made in the Cup, the Memory of that Mystery is preserved; and likewise, because, by this Mixture, the Union of the Faithful with Jesus

Christ, who is the Head, is represented: Nations being typified by Waters, in the Revelation of St. John.

Chap. VII. Tho' the Mass contains great Instructions for the Faithful; yet the ancient Fathers did not think it convenient that it should be celebrated in the vulgar Tongue: For which Reason, every Church, in all Places retains the ancient Custom that it has been used to, and which has been approved by the holy Roman Church, which is the Mother and Mistress of all Churches. However, that the Flock of Jesus Christ may not suffer Hunger, and that the little Children may not ask for Bread, when there is none to break it to them; the holy Council commands Pastors, and all that have the Care of Souls, often, in time of Mass, to explain, or cause to be explained by others; some Part of what is read at Mass; and particularly to take care, that some Mystery of this most holy Sacrifice be explain'd upon Sundays especially, and Holidays.

Chap. IX. And because several Errors have been at this time disseminated, and several teach and maintain many Things against this ancient Faith, which is founded upon the Holy Gospel, the Tradition of the Apostles, and the Doctrine of the Fathers; the holy Council, after having maturely and carefully examined and discussed all these Matters, has resolved, with the unanimous Consent of all the Fathers, to condemn, and drive out of the holy Church, by these following Canons, all that is contrary to the Purity of this Faith.

Canon I. If any one says, that a true and proper Sacrifice is not offer'd up to God at the Mass; or that, to be offer'd, is any thing else than Jesus Christ given to be eaten: Let him be Anathema.

Canon II. If any one says, that by these Words, Do this in Remembrance of me, Jesus Christ did not ordain the Apostles, Priests; or did not command, that they and other Priests should offer his Body and his Blood: Let him be Anathema.

Canon III. If any one says, that the Sacrifice of the Mass is only a Sacrifice of Praise and Thanksgiving, or a bare Memorial of the Sacrifice which was compleated upon the Cross; and that it is not propitiatory, nor profitable to any but him that receives it; and that it ought not to be offer'd for the Living and for the Dead, for their Sins, their Punishments, their Satisfaction, and their other Necessities: Let him be Anathema.

Canon IV. If any one says, that by the Sacrifice of the Mass, Blasphemy is committed against the Sacrifice of Jesus Christ made upon the Cross, or that it derogates therefrom: Let him be Anathema.

Canon V. If any one says, that it is an Imposture, to celebrate Masses in honour of Saints, and to obtain their Intercession with God, as the Church designs: Let him be Anathema.

Canon VI. If any one says, that the Canon of the Mass contains Errors; and that, upon that Account, its Use ought to be taken away: Let him be Anathema.

Canon VII. If any one says, that the Ceremonies, Vestments, and other outward Signs which the Catholick Church makes use of in the Celebration of the Mass, are Things which rather lead to Impiety, than to the Duties of Piety and Devotion: Let him be Anathema.

Canon VIII. If any one says, that the Masses, in which the Priest alone communicates sacramentally, are unlawful, and ought to be abrogated: Let him be Anathema.

Canon IX. If any one says, that the Usage of the Church of Rome, to pronounce part of the Canon, and the Words of Consecration, with a low Voice, ought to be condemned; or that the Mass ought only to be celebrated in the vulgar Tongue; and that Water ought not to be mixed with the Wine which is to be offer'd in the Cup, because it is against the Institution of J. Christ: Let him be Anathema.

These Definitions of Faith were followed with a Decree, concerning the Things to be observed or avoided in the Celebration of the Mass, in these Words :

If one considers, that he that does the Work of the Lord negligently, is accursed in Scripture ; he will easily see what Care ought to be used in the Celebration of the Holy Sacrifice of the Mass, with all that Respect and Veneration which is due to it : For if we are necessarily obliged to own, that the Faithful cannot do any Work so Holy and so Divine as is this tremendous Mystery, in which this quickning Sacrifice, by which we have been reconciled to God the Father, is every Day sacrificed upon the Altars by the Priests ; we shall discern plainly enough what Care and what Application ought to be used, to perform this Action with all possible Cleanness and inward Purity of Heart, and with the utmost Devotion and outward Purity.

Since therefore it is evident, that several Things have crept in, contrary to the Dignity of so great a Sacrifice, either through the Fault of Time, or by the Corruption and Negligence of Men ; the Holy Council, that it may restore to the Glory of God, and the Edification of the Faithful, that Honour and Worship which is due unto it, ordains, That the ordinary Bishops in every Place shall take a particular Care, and shall be obliged to forbid and abolish whatsoever has been introduced, either by Covetousness, which is a Sort of Idolatry ; or by Irreverence, which is almost inseparable from Impiety ; or by Superstition, which falsely imitates true Piety : And, to contain many things in few Words, they shall, as to Covetousness, in the first Place, forbid all manner of Conditions and Covenants for any Recompences and Salaries whatsoever, and all that is given when new Masses are said ; as also those pressing and indecent Beggings of Alms, which ought rather to be called Exactions ; and all Things of that Nature, which are very near to Simony, or, at least, which favour of a sordid and shameful Traffick. Secondly, To avoid Irreverence, they shall each one, in his own Diocese, forbid all wandring and unknown Priests to say Mass ; nor shall they suffer any Person, who is publicly and notoriously criminal, to serve at the Holy Altars, or to be present at the Holy Mysteries ; nor shall they suffer the Holy Sacrifice to be offer'd in private Houses by any secular or regular Priests whatsoever, or out of a Church or Chappel which is wholly dedicated to the Service of God, and which shall be appointed and visited by the same Ordinaries : And upon Condition also, that those who are present, shall, by their Modesty and outward Behaviour, shew that they are present not only with their Bodies, but also with their Heart and with their Mind. They shall banish also out of their Churches all Sorts of Musick, in which, either upon the Organ, or in plain Singing, there is any thing lascivious or impure ; as well as all profane Actions, Discourses, and Conversations, which are vain and unprofitable, or of the Affairs of this World ; all Walkings, Noises and Clamours ; that so the House of God may appear to be, and may be truly called, a House of Prayer.

Lastly, That no Room may be left for Superstition, they shall ordain, by express Commands, and under such Penalties as they shall think proper, That Priests shall celebrate Mass only at proper Hours ; and that in the Celebration of the Mass, they shall admit of no Practices, Ceremonies, or Prayers, besides those which have been approved in the Church, and received after a laudable and frequent Use. They shall put down also in their Churches, the Observation of such certain Numbers of Masses and Candles, as have been introduced rather out of a superstitious Custom, than by a Spirit of real Piety : And they shall teach the People what is, and whence principally proceeds the so Precious and Heavenly Fruit of this most Holy Sa-

crifice ; and shall likewise admonish them to go often to their Parish-Churches, at least upon Sundays and Solemn Festivals. Now all that has been here said in short, is proposed to all Ordinaries in such a Manner, as to make them understand, That by the Power given to them by the Holy Council, and also as Delegates of the Holy Apostolical See, they may not only forbid, ordain, reform and settle all that is already mentioned, but also whatsoever else shall seem to them to have Relation thereunto ; and likewise oblige the Faithful, by Ecclesiastical Censures, and other Penalties which they shall think convenient to inflict, to observe them inviolably ; all Privileges, Exemptions, Customs, and Appeals whatsoever, to the contrary notwithstanding.

The Session closed with a Decree of Reformation, the Translation whereof follows :

‘ The same Holy, Oecumenical, and General Council of Trent, continuing the Subject of Reformation, has thought fit in this present Session to decree as follows.

Chap. I. There is nothing which more instructs, and continually leads Men to Piety and the Worship of God, than the good and exemplary Lives of those who are consecrated to his Service : For since they appear to be raised to a Condition which is superior to all the Things of this World. Men look up to them, as to a Mirror, and take Examples from them what it is they are to imitate. Wherefore all Clerks, who are called into the Lord's Inheritance, ought so to regulate their Lives and Conversations, that in their Habits and outward Demeanor, their Gate, their Discourse, and every thing else, nothing may appear but what is grave, and circumspect, and truly religious ; avoiding even the smallest Faults, which in them would be very considerable, that so their Actions may imprint Respect and Veneration into all Mankind. Now since it is reasonable that so much more Precaution be used in this Matter, by how much the Church of God receives more Honour and Advantage from it ; the Holy Council ordains, That all those Things which have been wholesomely enacted, and sufficiently explained by Popes and Holy Councils, concerning Innocency of Life, good Conduct, Decency in Habit, and Learning necessary for Church-men ; as also, concerning Luxury, Feastings, Dances, Games of Chance, and the like, with all Sorts of Disorders, and involving themselves in the Affairs of this World, which ought to be avoided ; shall be observed, for the future, under the same Penalties, or rather greater, as the Ordinaries shall think fit to order it ; and in such a Manner, that the Execution of what relates to the Correction of Manners, shall not be suspended by any Appeal : And if they shall perceive any of these Things to grow into Disuse, they shall labour, with all their Might, to bring them again into Practice, and to cause them exactly to be observed by all the Faithful ; any Customs to the contrary notwithstanding ; lest God should examine them one Day, and they be justly punished themselves for neglecting those who were committed to their Charge.

Chap. II. Whosoever shall for the future be chosen into a Cathedral Church, shall have not only the Qualities required by the Holy Canons, as to Birth, Age, Manners, and Conversation, but shall have been admitted into Orders at least six Months before. If he is not known at the Court of Rome, or has been so but lately, a verbal Process of all these things shall be taken by the Legates of the Apostolick See, or the Nuncio's of Provinces, or the Ordinary of the Place, and, in default of him, by the nearest Ordinaries. He shall besides have a Capacity necessary to satisfy the Obligations of the Charge to which he is designed ; and in order thereunto, it will be necessary that he shall have first regularly got the Degree of Master, Doctor, or Licentiate in

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Divinity or in Law, in some University, or by a publick Testimonial from some University, he be declared capable of instructing others. If he is a Regular, he shall have a like Certificate from the Superiors of his Order: And all the abovementioned Persons, who are to give Informations, or Testimonials, shall be obliged to make their Declaration *bonâ fide* and *gratis*; otherwise let them know, that their Consciences will be grievously onerated, and that God and their Superiors will revenge it.

Chap. III. The Bishops, even as Delegates of the Apostolick See, may set apart a third Part of the Fruits and Revenues, in the general, of all Dignities, Benefices and Offices whatsoever, in Cathedral or Collegiate Churches; and convert that Third into Distributions, which they shall regulate and divide as they shall judge convenient: So that if those who are to receive, shall any Day be absent from Divine Service, to which they shall be obliged, according to the Regulation prescribed by the Bishops, they shall lose their Distribution of that Day, and acquire no manner of Property therein; but it shall be applied to the Fabrick, if there shall be need, or to some other pious Place, according to the Discretion of the Ordinary: And if they shall obstinately persist to absent themselves, they shall be proceeded against, as the Holy Canons direct: And if it shall so happen, that none of these Dignities has any Jurisdiction by Right or Custom, nor has any Office or Service in the Cathedral or Collegiate Church belonging to it; and that the Dignitary has a Cure out of the City, in the Diocess upon which he intends to reside; he shall be esteemed as present at Divine Service, as well in the Cathedral as in the Collegiate Churches, all the while he shall so reside, and there perform the Functions of his Cure: Which Regulation is only to be understood to hold in those Churches, in which there is no Custom or Statute, by which it is ordained, that the Dignitaries, who do not actually reside, shall lose a third Part of their Fruits and Revenues; all Customs, tho' they be immemorial, Exemptions and Constitutions, tho' confirmed by Oath, or by any other Authority whatsoever, to the contrary notwithstanding.

Chap. IV. Whosoever shall be engaged in the Service of God, in a Cathedral or Collegiate Church, Secular or Regular, if he is not at least a Subdeacon, shall have no Voice in the Chapter in those Churches, even tho' it should be voluntarily allow'd them by the rest. And for those, who for the future shall have Dignities, Parsonages, Offices, Prebends, Portions, and any other Benefices whatsoever, in those Churches, to which there are certain Duties annexed; such as to some, to say Mass; to others, to say or sing the Gospel; to others, the Epistle; they shall be obliged, if they have no lawful Impediment, to take the Orders, proper for their Functions, within a Year; any Privilege, Exemption, Prerogative, or Advantage of Birth, which they may pretend, to the contrary notwithstanding: Otherwise they shall incur the Penalties enacted in the Constitution of the Council of *Vienna*, which begins *Ut ii qui*; which the Holy Council renews by the present Decree: And the Bishops shall oblige them to exercise the Functions of their Order themselves, upon the prescribed Days; and to satisfy all the other Duties which they are obliged to, during Divine Service; under the same Penalties, and even greater, as they shall think it advisable to order it: And none shall be put into those Employments, for the future, but those that shall be thoroughly known to have necessary Age and Qualifications; otherwise such Provision shall be null.

Chap. V. All Dispensations, by whatsoever Authority they are to be granted, if they are to be committed out of the Court of *Rome*, shall be committed to the Ordinaries of those who shall obtain them:

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And for Dispensations, which are to be granted of favour, they shall be invalid; if the Ordinaries, as Apostolical Delegates, shall not first take a Summary and extrajudicial Cognizance of them, to see whether there is no Subreption or Obreption in their Petitions or Requests.

Chap. VI. In Commutations of Testaments, which ought only to be done for a just and necessary Cause, the Bishops, as Apostolical Delegates, shall examine the Petitions, summarily and extrajudicially, to see whether the Truth be not stifled, or something false set forth, before such Commutations shall be put in Execution.

Chap. VII. Legates and Apostolical Nuncios, Patriarchs, Primate and Metropolitans, in Appeals which shall be brought before them, shall be obliged, in all Causes whatsoever, either when they receive Appeals, or when they grant Prohibitions after Appeals are lodged, to observe the Form and Tenor of the Holy Constitutions, particularly of that of *Innocent IV.* which begins *Romana*; all Customs, even immemorial Usages, or Privileges, to the contrary notwithstanding; otherwise the Prohibitions, Processess, and all that shall follow upon them, shall be *ipso jure* null.

Chap. VIII. Bishops, even as Apostolical Delegates, in Cases permitted by the Law, shall be Executors of all pious Dispositions, whether testamentary, or whilst Men are alive; shall have a Right also of visiting all Hospitals, Colleges, Lay-Communities, whether they be called Schools, or have any other Name, excepting still those which are under the immediate Protection of Kings, unless it be with their Leaves; as also those Charities which are called *Mounts of Piety or Charity*, and all other Places of Devotion, howsoever they be called; even though those Places be committed to the Care of Laymen, and what Privilege or Exemption soever they may plead. Lastly, they shall examine *ex officio*, according to the Ordinances of the Holy Canons, and shall execute all things in the general whatsoever, which are establish'd for the Service of God, or the Salvation of Souls, or the Support and Maintenance of the Poor; all Customs, even immemorial Privileges or Regulations, to the contrary notwithstanding.

Chap. IX. Administrators, whether Ecclesiastical or Lay, of the Fabrick of any Church whatsoever, though it be Cathedral, as also of all Hospitals, Communities, Mounts of Piety, shall be obliged once a Year, to give an Account of their Administration to their Ordinary; all contrary Usages or Privileges being extinguished and suppress'd, unless in the Foundation and Statutes of any Church or Fabrick, it be order'd otherwise in expresse Terms: And if by any Custom or Privilege, or particular Statute of any Place, an Account is to be given before other Persons appointed on purpose, the Ordinary shall be called in jointly with the Commissioners, otherwise, all Acquittances and Discharges given by the Administrators shall be void.

Chap. X. The Unskillfulness and Incapacity of Notaries, often causing Mischief, and giving occasion to several Law-Suits, the Bishop, as Apostolical Delegate, shall satisfy himself by Examination of the Sufficiency of all Notaries, though created by Apostolical, Imperial or Royal Authority; and if they be incapable or prevaricate in any manner whatsoever, in the Exercise of their Employments, he may suspend them for a Time, or for altogether from their Functions in all Ecclesiastical and Spiritual Matters, Suits and Causes; and that their Suspension shall not be taken off by any Appeal whatsoever.

Chap. XI. If any Ecclesiastick or Layman, of what Dignity soever, whether Emperor or King, has a Heart so filled with Covetousness (which is the

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Root

The History of the Council of Trent. Root of all Evil) as to dare to convert to his own Use, and to usurp by himself or by another, by Force or Threatning, or by Means and Interposition of any third Person, whether Ecclesiastick or Layman, by any Artifice, or under any Colour or Pretence whatsoever, the Jurisdictions, Goods, Rents and Rights, either in Fee or Lease, the Fruits, Emoluments, and any Revenues whatsoever, if any Church or Benefice, Secular or Regular, Mount of Piety, and any other Place of Devotion whatsoever, which ought to be employed towards the Necessities of the Poor, and those that serve them, or to hinder by the same Ways, those Revenues from being received by those to whom they do of Right appertain: Let him lie under an Anathema till he has surrendered and restored to the Church, and to its Administrator, or to the Beneficiary, the Jurisdictions, Goods, Effects, Rights, Fruits and Revenues which he had seized upon, or had kept in any manner whatsoever, though by a pretended Donation of any feigned *Donor*; and has afterwards obtained Absolution from the Pope: And if he is Patron of any Church, beside these Penalties, he shall be deprived also of the Right of Patronage; and any Ecclesiastick, who shall have consented or adhered to these sort of Usurpations and execrable Attempts, shall be subject to the same Penalties, deprived of all his Benefices, and rendered incapable of any other, and even after entire Satisfaction and Absolution, shall be suspended from the Execution of his Function, as long as his Bishop shall think fit.

This Session concluded with the Decree concern-

The History of the Council of Trent. ning the Demand, that the Cup might be granted to the Laity, which was drawn up in these Words, 'Moreover, the same holy Council having in the last Session reserved the Examination and Determination of the two Articles which had been formerly proposed, and which were not at that Time discussed, to another Time, when there should be a convenient Opportunity; namely, Whether the Reasons that induced the Catholick Church to give the Communion to the Laity and Non-celebrating Priests, under the sole Species of Bread, are so to be adhered to, that the Use of the Cup ought never, on any Account, be permitted to any Man? And supposing, that for just Reasons, founded upon Christian Charity, it should be thought advisable to grant the Use of the Cup to any Nation or Kingdom, Whether it ought to be granted upon any Conditions; and what those Conditions ought to be? Being now desirous to provide for the Salvation of those for whom it is demanded, has decreed, That the whole Business shall be referred, as by this Decree it does refer it, to our most holy Father; who, according to his singular Prudence, shall do as he shall judge advisable for the Christian Commonwealth, and profitable for those who desire to have the Use of the Cup.

The Council at last assigns next Session to be upon *Thursday* after the *Octaves* of the Feast of *All Saints*, which would be *Nov. 12.* And it declares, That it will then determine concerning the Sacraments of *Order* and *Marriage*.

C H A P. XIX.

History of what pass'd from Session XXII. to Session XXIII. of the Council of Trent.

Memorial of the King of France, desiring the Delay of the Session. AS they went out of the Session, the French Ambassador receiv'd a Letter from His Most Christian Majesty, dated *Sept. 6.* containing, 'That His Majesty having seen the Decrees made last Session, which was held *July 16.* and what had been determin'd by the Fathers, concerning the Communion under both Kinds, which was proposed and desired by the Emperor's Ambassadors, and the Ambassadors of several other Princes; as also the Articles that were proposed, concerning the Sacrifice of the Mass, to be decided next Session; he could not but commend the Intentions of the Fathers of the Council, and the Desire which they shew'd, to be willing to extirpate Heresies, and to procure the Salvation and universal Good of *Christendom*: That however, as a Most Christian Prince, and eldest Son of the Church, he could not conceal what was so universally and publicly discoursed; That the Church did not enter upon what relates to Reformation of Manners, and the Discipline of the Church, which was the principal Fruit that was expected from the Council; or at least, that they proceeded so slightly and so slowly, that the Church could hope for no advantage; and that, on the contrary, they treated of what related to Doctrine with so much Precipitation, when nothing was contested by any Body that was present at the Council, only that they might put a quick End to the Council, and break it up the sooner: That tho' His Majesty believ'd that all these Discourses were false, yet he desires the Legates, and Fathers of the council, to be willing to hearken to his Ambassadors Propositions, which only tend to remedy the extreme and pressing Necessities of his Kingdom; and to preserve the good Catholics, that were still left, in the Faith and Obedience of the Church: That after he had found, by Experience, that the gentle and severe Methods, which the late Kings, his Grandfather, Father, and Brother, had made use of, to extirpate Heresies in France, and bring those that are gone astray, back again into the Church, have been unsuccessful, he believed he ought to recur to a General Council: That pursuant hereunto, he had used all possible Sollicitations to obtain it: That at last, when he had procured it, he had the uneasiness of seeing, that he could not send the Prelates of his own Kingdom thither, by reason of the Civil War which had arisen in the mean time: That now, when he saw the Bishops of France were ready to go, he thought himself obliged to represent to the Legates and to the Fathers, That so all the Good which was hoped for, might be drawn from the Council, that they ought not to be so rigid Observers of the Laws which they made when the Council was first opened; but on the contrary, that they ought to slaken them, when they had the procuring of Peace and Union in the Church in view: That especially they should avoid doing any thing which might alienate the Minds of the Protestants: That all means on the contrary ought to be tried to persuade and engage them to come to the Council: That when they should appear there; and see themselves treated with a paternal Love and Gentleness, they would be more disposed to hearken, and to acknowledge their Errors: That whilst they staid for their coming, it would be convenient to

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suspend the Discussion of Matters of Doctrine, and labour after Reformation, in which all the World was concerned: That the very Way of handling these things, would be capable alone of bringing the Protestants to the Council: That now there was not one single Person in *Trent*, of any Nation whatsoever, that did not hold the Doctrine of the Church, or that had it in charge to call in question any of the Points decided there: That consequently it might be said that nothing had been yet done for the Catholics, whilst they disputed about the Articles which had been proposed; whereas the Protestants had been only exasperated by a Condemnation without being heard, which would put them upon publishing infinite Numbers of Books against the Decrees and Authority of the Council: That therefore it would be much better to let Decrees of Doctrine alone, and apply themselves to Reformation of Discipline and Manners, till the Protestants should come to *Trent*, that so in so notable an Assembly as that which is there already, and which will be there when once the *French* Bishops are arrived, such Decrees may by the Grace of God, and the Inspiration of the Holy Spirit, be made, as may reform Abuses, confound Errors, and cause God to be served in all Purity, and his Name to be praised and honoured throughout all Christendom by the Inspirations of the same Spirit, the same Faith, and the same Religion. That for this Reason, he desires the Legates and the Fathers of the Council to put off the next Session till the *French* Bishops come to the Council, which will be in *October*; or at least to put off the Publication till that Time, and to wait for the Pope's Orders, to whom he has written upon that Subject.' At the end of the Memorial the King adds, that since the Legates have alter'd somewhat of that ancient and laudable Custom, Liberty and Power, which the Ambassadors of Christian Kings and Princes always enjoy'd, of setting forth the Necessities and Wants of their States and Kingdoms in Councils, he requires that his Ambassadors would insist upon having that Liberty restored to them; and that if any Decree was made contrary hereunto, that it might be revoked.

Ambassadors present the King's Memorial to the Legates and desired that there might be a Delay.

When the *French* Ambassadors had read the King's Dispatches and this Memorial, they resolv'd, tho' they could not now desire that the Session might be put off, to go to the Legates, and to present the Orders to them, which they had just now receiv'd; and to remonstrate, that if Order and Marriage were treated of both together, they would have nothing relating to Doctrine to examine any farther, and so the *French* Bishops would have nothing more to do; and according to their Instructions, they insist'd upon the Council's labouring seriously about Reformation, or at least of their handling Doctrine and Reformation in their Turns, without putting off this, as had been done formerly, till the last Days of the Time prescribed before the Session; so that they had not time to debate over the Articles, to put them into any Order, nor even to look them over. The Legates replied, that they would endeavour to content them as much as they could, and they desired a Copy of their Memorial, that they might consult about it: The President *du Ferrier* had Orders to leave it in the Legates Hands, who took care to send a Copy of it to the Pope.

Emperors Ambassadors desire likewise a Delay.

The Emperor's Ambassadors, who acted in concert with the *French*, desired of the Legates, that very same Day, that the Articles which they had given in before, might be proposed in the Congregations, and that the Examination of Doctrines might be put off till the *French* Bishops arrived; and that a Reformation might be made, which might be serviceable not only to the Church in general, but also to every Kingdom in particular: That two Men might be chosen out of every Nation, who might propose such Things as would deserve to be regula-

ted by the Council. The Legates replied to them, as they had done before to the *French*, that the Council could not, without injuring it self, change the Order that was settled to handle Doctrine and Reformation together: That tho' they were willing to do it, yet other Princes would oppose it: That however, to please them, they would only examine what related to Order now, and then some Points of Reformation, and afterwards they would treat of Marriage. Lastly, that every Man should have a Right to propose to the Legates what he should judge to be necessary, useful or convenient, which would be more advantageous, than to take two Deputies out of every Nation. This Answer did not please the Imperialists.

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At the same time the *French* and Imperial Ambassadors, endeavour'd to persuade the Pope to write to the Council, to suspend the Examination of Matters relating to Doctrine, and to apply it self entirely to Reformation, till the Bishops of *France* were come; but the Pope, who was afraid of nothing so much as a Prolongation, and who wish'd that the Council might end in the Session which was to be held upon *November 12*, or at least that it should be concluded in *December*; being solicited by his own Family, made no other Answer to the *French* Ambassador, but that it all depended upon the Fathers of the Council, who being tired with the Labour and Inconvenience of staying so long at *Trent*, could not defer Things any longer.

Instances to the Pope to delay the Council.

To this the Ambassador replied, that he was persuaded that the Fathers of the Council were much less uneasy at their staying at *Trent*, and at the Trouble which the Affairs of the Council gave them, than to see Christendom so torn with Schism, and disfigured with Heresies, as well as with the Irregularity of Manners; and the rather, because there was no Probability that any Remedy could ever be applied, if the Council should once break up: Hereupon the Pope made an Answer, that if some Consideration ought to be had of the State of Christendom, Reason also required, that they should have some Regard to the Fatigue of the Fathers; and that if his most Christian Majesty desired the Council principally to labour after the Reformation of the Clergy, and the Discipline of the Church, as a Thing most advantageous to his Kingdom; he ought then to propose by his Ambassadors, the particular Things which needed Reformation, and not to ask for Reformation in general Terms, and in such a manner, that they did not know what was particularly necessary for the Good of the Kingdom of *France*; whereas if they would offer special Matter to the Council, Regard should be had to it. And to let that Ambassador see how sincerely he desired to content the King his Master, the Pope added, that if he had any Articles of Reformation to propose to him, he offer'd to get them determined in three or four Days; and he was also ready to confirm the Articles agreed upon by the Bishops of *France* in the Assembly at *Poissy*. Upon this the Ambassador told the Pope, that the most important Article of Reformation was to find a Way how to get the ancient Decrees executed, so as they might not be dispensed with; that if the Council would employ it self in that, it would do a very great Service to the Church. The Pope, who thoroughly understood the Meaning of this Answer, told him, that for his part, he laboured all he could to get the holy Decrees to be observed, and he oblig'd all that belonged to his Court to do so too, though this was a very considerable Loss to them; and he would willingly go a great way farther, if he were not persuaded, that by lessening the Revenues of his State, he should give a great Advantage to his Enemies, and be more expos'd to their Injuries; whereby his State, as well as the Catholics who are under his Protection, would be in very great Danger. He said moreover, that it was not the Court of *Rome*, at

Pope's Answer.

The History of the Council of Trent. which Men ought to complain about the Relaxation of Discipline, but at Kings and Princes, who solicited for Dispensations and extraordinary Provisions, with so much Earnestness and Importunity, that his Holiness could not refuse them.

Articles of Reformation proposed to the Pope by the Emperor's Ambassador. The Emperor's Ambassador proposed two Articles of Reformation, which had been already presented to the Council by the Ministers of his Imperial Majesty. The first, That the number of Cardinals might be reduced to 24, as had been done formerly, and that none should be raised to that Dignity, but Men of exemplary Lives, and known Abilities. The Second, That the Pope would suffer Reformation to begin with his Person, and with those of his Court. To the first Article the Pope replied, that he could not reduce the number of Cardinals but by Death, and that if he made a new Promotion, his Imperial Majesty should have notice of it, and have a good Share in it; and as to the second, that he would reform his Person and his Court himself, and would have no Man concern himself about it.

New Instances with the Pope, to get a Delay in the Council excluded. A few Days, after, the French Ambassador, in an Audience which he had of the Pope, made new Instances, that he would give Orders that they should stay at Trent for the Cardinal of Lorraine, who was ready to set forward on his Journey with great numbers of Bishops. The Pope, who had sent secret Instructions to the Cardinal of Ferrara, then Legate in France, to hinder the Cardinal of Lorraine's Journey, answer'd this Ambassador, that he had Letters from the Court of France, that the Cardinal of Lorraine intended, before he came away, to see Bourges taken, and to go along with the King before Orleans, so that it was to be presumed that he would not get so soon to Trent, and perhaps not come at all. And then the Pope added smiling, 'The Cardinal of Lorraine is a second Pope, and has 300000 Crowns a Year in Benefices; it is not probable that he will come to the Council to propose a Reformation there; it will not much become him to speak against Pluralities: He has more to fear in the business of Reformation, than I, who have but one Benefice of my Pontificate, with which I am content. Then turning to the Cardinal de la Bourdaiziere, he said, 'See, Sir, in what a Condition I am: If the Council pays me any Respect, and leaves any Matter of small Consequence to me, the Ambassadors who are there complain, and say the Council is not free; and yet they sollicite me to give Laws to the Council, and to restrain its Liberty in Matters which depend absolutely upon the Fathers of the Council. The Ambassador replied to his Holiness, that it was very true, that some Prelates who were at Trent complained, that his Holiness did not allow the Council so much Liberty as was to be wished for its Advantage; but he had never heard it said, that the Ambassadors of the King his Master had made any such Complaints: That the King's Intention, as it was set down in the Instruction which he sent to his Ministers, was not to press his Holiness, to order or enjoin any Thing to the Council, when there was a Fear that the Fathers of the Council might go too fast; but only to intercede with his Holiness, as he did at present, that the Session might be Prorogued for a short Time, that they might treat of Reformation more at large, and give the French Bishops Time and Place to appear at Trent.

This put the Pope a little into a Passion; and he ask'd why they did not rather apply themselves to the Council than to him, who neither would nor could give Laws to the Fathers of the Council, especially since the French Bishops had for 18 Months been expected at Trent; and that all that Time they had still given in frivolous Excuses; among others, their Hope of drawing in the Protestants, and particularly the Queen of England, in Favour of whom

the Court of France had given it self a great deal of Trouble to no purpose, since that Prince had now declared against the King of France for the Hugonots; that they needed only look upon the Condition which the Province of Normandy now is in, to judge of the Ill-will which she bears to France. Here the Ambassador interrupted the Pope, telling him, That his Legate made the first steps with his most Christian Majesty, to sollicite the Queen of England to send to the Council, and to submit to it; and that he himself had taken notice of this to the Abbot of St. Gildas, in an Audience which he gave him, when he told him, That his most Christian Majesty did him a great Pleasure, when he concerned himself in this Negotiation. The Pope being somewhat softened by this Answer, told the Ambassador that he ought not to expect that either the English, or the Protestants, should ever appear in Council, because they knew well that they should be condemned there. He added, That the Decrees of the Law of God cannot be changed or corrected; but he believed that it would be proper that these things should be touched tenderly in the Council, and that they should only stay to collect those Decrees which the Church of Rome has vigorously enforced: For as to those Articles which relate to positive Right, as the Council had declared in one Instance, that it left to the Disposition of the Pope; so he exhorted Princes to have recourse to him, promising that he would be indulgent and liberal to them in all their other Demands.

Some Days after this Audience, the Pope having received Advice, that the Cardinal of Lorraine was just setting out for Trent, with a great number of Bishops, wrote to the King of Spain, to desire him to send abundance of the Bishops of his Kingdom to Trent, who might oppose the French Bishops when they should propose any thing in the Council against the Interests of the Holy See; letting him know that he would do all that he could possibly, that his Ambassador should have the Precedence of the King of France's. And to put by the Cardinal of Lorraine's Journey to Trent, the Pope was resolved to send Cardinal de la Bourdaiziere thither, being persuaded that the Cardinal of Lorraine would never suffer a Cardinal of his own Nation, so much his Inferior, to precede him in the Council. He sent also at the same Time to the Legates, to close the Council as soon as possibly they could.

The Legates who knew the Pope's Intentions long before, had ever since September 18. distributed eight Articles among the Doctors, concerning the Sacrament of Order, for them to examine, and to give their Opinions upon in the Congregations; and that this Examination might be the sooner dispatched, they divided the Doctors into six Classes, giving each Class an Article to examine. These Classes were composed of some Divines of the Pope, and of other Princes and Common-wealths, who had Instructions to speak, none of them above half an hour.

The Articles concerning the Sacrament of Order, which were given them to examine, were these.

I. *Whether Order be a Sacrament instituted by Jesus Christ, and not a Human Fiction or Ceremony for the electing Ministers of the Word of God, and Sacraments.*

II. *Whether Order be one single Sacrament, so that lesser Orders are so many steps to mount to the Priesthood.*

III. *Whether there be a Hierarchy in the Church composed of Bishops, Priests and other Ministers. Whether every Christian be a Priest. Whether the vocation and consent of the People or Magistrate be necessary, and whether Priests can again turn Laymen.*

IV. *Whether*

IV. Whether in the New Testament, there be a visible Priesthood, and a Power of consecrating and of offering the Body and Blood of Jesus Christ, and of absolving Sins; or whether there is only a bare Ministry of Preaching the Gospel; so that those that do not preach, are no Priests.

V. Whether the Holy Ghost be received in Ordination, and what Character is then impressed.

VI. Whether Unction and the other Ceremonies are necessary or Superfluous in Ordination, or whether they be pernicious.

VII. Whether Bishops are Superiors to Priests, and have a special Power of confirming and conferring Orders.

VIII. Whether Bishops, called and ordained by the Pope's Authority, are lawful; and whether those that become so any other way, without Canonical Institution, are true Bishops.

Opinions of Divines upon the Propositions concerning Order.

Salmeron the Jesuit, as Pope's Divine, spake first in the Congregation which was held September 23. upon the first Article, namely, whether Order be a Sacrament instituted by Jesus Christ, and not a pure Human Fiction or Ceremony, for the Electing Ministers of the Word of God and the Sacraments. He began with proving that there was a necessity of a Priesthood, because the Mass was a Sacrifice, as the Council had defin'd in the Preceding Session: That Priesthood and Sacrifices were so united, that they could not be separated from one another: That there could be no Question of its being instituted by Jesus Christ, first when he said to his Apostles, *Do this in Memory of me*; and then when he breathed on them, and said *Receive ye the Holy Ghost*; and since by the Word Order, was meant a Ceremony which confers certain Degrees of Power in the Church, whereof some are Superior to others, it follows that this Power being thus distinguished, every Order is distinguished from any other by different Degrees of Power, and imprints a special Character: That in the Acts of the Apostles, we shall find the Order of Deacons sufficiently mark'd out and distinguished from that of Apostles; the first being set apart for the Service of Tables, the other for the Preaching of the Gospel, and the Celebration of the Holy Mysteries.

When Salmeron had made an end, Ferdinand Vellosilius, Divine to King Philip II. spake; and then James Paiva, Divine to King Sebastian. They both proved (as did the other Divines of the first Class, who spake after them) by several Passages of Scripture, that Order was a Sacrament, and particularly by this *Quæ à Deo sunt, ordinata sunt*; (a) then by the Tradition of the Apostles, by the Testimony of the Fathers, by the Consent of Divines, and especially by the Decree of the Council of Florence.

In the Congregation of September 25. Petro Soto a Dominican, who as Pope's Divine, at the Head of the second Class, spake upon the second Article, Whether Order is a single Sacrament, all interior Orders being but steps to ascend to the Priesthood: He took pains to shew that there are seven Orders, all instituted by our Saviour, which all make so many Sacraments; and that it was necessary to declare this, because some Canonists, who went beyond the Bounds of their Profession, added two more, the

first Tonsure, and Episcopacy; which Opinion might introduce many very dangerous Errors. Then he proved, that when Jesus Christ was upon Earth, he conferred these Orders by Degrees, ending with the Priesthood, which was the last; and that the last Sacrifice being the Design of his whole Life, this shew'd that all other Orders were only Ladders to ascend by to the highest step, which is the Priesthood.

Jerome Bravo, a Dominican likewise, after he had protested that he firmly believed there were seven Orders, which were all so many real Sacraments; and that the Custom of the Church, which makes Men pass from lesser to greater Orders, and at last to the Priesthood, ought to be observed, said, That he did not think it necessary to make such a Declaration, because of the Diversity of Opinions, there being scarce two Divines of the same Mind: That that made Cardinal Cajetan say, That if the Opinions of the Doctors were collected, we should find much Confusion in this whole Matter of Orders, excepting in the Priesthood: That the Master of the Sentences held the four lesser ones, and the Subdeaconship, to be of Ecclesiastical Institution; and that the Deaconship which the Scripture speaks of, seems only a Ministry to a Table, not an Altar, as ours is: That the Difference which appears in the ancient Rituals, about the Doctrine of lesser Orders, shews that they are Sacramental Things, and not Sacraments; That Reason teaches us also to believe this, since the Functions of those that are in lesser Orders, may be performed by those who are in no Orders at all, and are equally vaild: That St. Bonaventure, who taught that the seven Orders were so many Sacraments, yet believed these two Opinions to be very probable: First that the Priesthood alone is the Sacrament, but that the lesser Orders, Deaconship and Subdeaconship, whose Functions consist in Temporal Things, such as opening of Doors, reading the Lessons at the Mass, lighting of Candles, &c. are only Dispositions to the Priesthood: Secondly, that the three Holy Orders [only] are Sacraments: That as to the common Opinion, that inferior Orders are steps to the Superior ones, St. Thomas assures us, that in the Primitive Church, several received the Priesthood, without passing thro' the inferior Orders; and that the Church afterwards established all these Degrees to humble those that pretended to the Priesthood; that it is plain by the Acts of the Apostles, that St. Matthias was made an Apostle at first: That the seven Deacons did not pass through the lesser Orders, nor through the Subdeaconship: That when St. Paulinus had resolved to go into the Church, he was willing to humble himself to begin with the Office of Porter, and so to go through the other Degrees; but that whilst he was considering when he should begin, he was snatcht away of a sudden by the People of Barcelona, upon a Christmas Day, who carried him by force to a Bishop, who made him Priest, though before a Layman, without passing through any intermediate Orders; which would not have been done, had it not been the Custom at that Time. Whence he concluded, that there was no need for the Council's going farther than what all Catholics agreed in; and that it would be much better to treat of the Sa-

[(a) The Words alluded to here, are those of St. Paul, Rom. XII, 1. *The Powers that be, are ordained of God*. One would wonder how these Words, in which the Apostle is enforcing the Duty of the People to the Civil Magistrate, should be urged to prove that Order is a Sacrament. It is plain Cardinal Palavicini thought that F. Paul remembered this on purpose to expose the Fathers and Doctors, since in his account of this Debate, he says nothing of the producing this Text to prove their Question. It is evident the good Doctors went upon the Word *Ordinata sunt*, which they could not tell how to think could be meant of any Thing but Ecclesiastical Orders. Sir Nath. Brent, who translated F. Paul, understood nothing of

the Matter, being led by F. Paul's Words in Italian, which were a Translation of the Vulgar Latin, which Sir. Nath. Brent, (who had not very much Erudition) was not aware of. The Vulgar Latin is thus, *Quæ autem sunt, à Deo ordinata sunt*. i. e. *Potestates*, which went before. This F. Paul renders thus, *Le cose, che da Dio vengono, sono ordinate*; which his English Translator renders thus, *The Things which came from God are ordained*. Which Words either mean nothing, or are an idle Tautology. The Edition which is here quoted, is the second, printed at London, 1629. Hist. Council Trent. Lib. 7. p. 586.]

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crament of Order, with Priesthood, especially since the Council treated of the Sacrament of the *Mass* last Session, which has so near a Connection with the Priesthood, and afterwards from Priesthood go to examine Order in general without descending to Particulars.

After the Congregation, *Draskowitz*, Bishop of *five Churches*, stay'd behind with some Bishops, and spake to them in these Words, ' That the Emperor being now no longer employ'd in War, after having concluded a Truce for several Years with the *Turk*, had nothing more at Heart than the Reformation of the Church, which might be compassed if a Party of the Bishops would contribute to it : ' That he conjured them therefore by the Love of God, and the Obligation which every Christian has to serve the Church, not to abandon so just a Cause, and so important to Christendom : ' That every one should set down in Writing what he thought requisite to be decreed for the Service of God, without being biassed by humane Respects : ' Lastly, That they should think upon the Means of Reforming, not a part, but the whole Body of the Church, the Head and the Members. The Archbishop of *Granada*, who entred into the Notions of the Bishop of *five Churches*, shew'd the Necessity of reformation, and the present Opportunity that they had to labour after it; and then having thanked the Bishop of *five Churches* for his good Advice, he said, his Brethren and he would consult about it. Accordingly the *Spaniards* met; and after they had talked together of the Necessity of a Reformation, and the Inclination which the Emperor had towards it, to which their King who was naturally inclined to Piety, and the *French* Bishops who would quickly be there, would not fail to be assisting, they touched upon some Abuses which proceeded from the Corruption of the Court of *Rome*, and would never be at an end till all that had been usurped upon the Bishops by their Reservations were restored to them again. The Archbishop of *Granada* remonstrated, That this was a proper Time to lay the Foundation, whilst they were treating of the Sacrament of Order; That if they would declare the Authority of Bishops to be of Divine Institution, they would soon recover what they had lost, as much through their own Negligence, as through the Ambition and Avarice of others; because then their Power could no longer be restrained; *Dom Bartholomew dos Martires*, added, That this was so much the more necessary, by how much their Authority was almost extinguished by the Establishment of a superior Order, that of Cardinals, who anciently were no more than Priests and Deacons: That in a Council held at *Rome* in 993. and in that of *Clermont*, held under Pope *Urban II.* in 1095. they only signed after the Bishops: That their Greatness began only under Pope *Nicholas the I.* and that till the Pontificate of *Innocent IV.* they were always acknowledged to be inferior to Bishops; but that since that Time, not contenting themselves with being their Equals, they had set themselves so much above them, that they kept several Bishops in their Houses as their Domesticks: At last he said, the Church would never be reformed till Bishops and Cardinals were recalled to their first Estate. These Propositions were heard with Applause as very just; and five Bishops were chosen, namely, the Archbishops of *Granada*, *Braga* and *Messina*, and the Bishops of *Segovia* and *Tortosa*, to set down in Writing what they judged to be necessary, either for Reformation in general, or for the Institution of Bishops in particular, at which they declared they would begin. The Bishop of *Tortosa*, who corresponded privately with the Pope's Party, began at first to excuse himself from that Commission, because of his Incapacity, and the Time, which he did not think was proper for it; insinuating particularly to some of them, That the

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Bishop of *five Churches* was far from acting in this Matter out of a Principle of Piety, he having no other End but to frighten the Pope with his Propositions of Reformation, and to force him to grant the Cup, which they had all so generously refused. When this Bishop found that he was hearkened to, he so managed it, that he persuaded those that were present, that this Matter had better be set aside. However, the Bishop of *five Churches* having particularly conferr'd that Evening with the Archbishops of *Granada*, *Braga* and *Messina*, and with the Bishop of *Segovia*, engaged them to go next Day and wait upon the Legates, which they did; and in their Audience, they demanded that the Articles which were formerly proposed by Cardinal *Crescentio* in the same Case, in which it was decreed, That Bishops were instituted by Jesus Christ, and that they were of Divine Right, should be followed. After the Legates had conferr'd together, they answered, That since the *Lutherans* affirmed that there is no difference between Bishops and Presbyters, it was just that the Superiority of the Bishops should be declared; but then it was to no purpose to declare by what Right they were Superior, nor by whom that Right was established, that not being the Point in Controversy. The Archbishop of *Granada* replied, That herein lay the Stress of the Question; That if the Divines were suffered to dispute it, the Necessity of deciding that Question would be quickly seen; but the Legates being resolute, the Prelates retired, being resolved to have that Question debated. *Visconti*, who judged, as he wrote to Cardinal *Borromée*, that this would be one of the nicest Questions that could be handled in the Council; and that if the Institution of Bishops were once declared to be of Divine Right, it would follow, that the Keys were not given to *St. Peter* alone, but also to other Bishops; and consequently that the Council would be Superior to the Pope, caused a Report to be spread among the Divines, That the Legates had forbidden that Question to be debated.

There was a Dispute at that Time, between the Duke of *Bavaria's* Ambassador and the Ambassador from the *Swiss Cantons*, which hindred the holding of a Congregation for several Days. The *Swiss* Ambassador pretended to precede the *Bavarian*; but the Duke of *Bavaria* who was angry, order'd his Minister to go away from *Trent*: The Legates laboured all they could to stop him, promising that he should keep his Place in the Congregations, and that the *Swiss* Ambassador should never be desired to attend; but he would not be contented with that Expedient, unless they would make a formal Decree; which the Council did not care to do, for fear of offending the *Switzers* too much. The Legates had not made this Proposition to the *Bavarian* Ambassador, but upon the Orders which they received from *Rome*, that they might give the Ambassadors Time to write to their Masters, and that in the mean time, the Council might labour to finish their own Business. The *Switzers* Answer was, That to avoid Disputes, they were willing that their Ambassador should be invited alternatively to the Congregations, and that he that was there, if he was not invited that Day, should give Place to him that was invited. The *Bavarian* Ambassador retired before the *Switzers* had given in their Answer; so there being no Dispute, they began again to hold their Congregations.

Upon the third Article, which was, Whether there is a *Hierarchy* in the Church, composed of Bishops, Priests and other Ministers; whether all Christians are Priests; whether the Vocation and Consent of the People, or the Magistrate, are necessary; and whether Priests can become Laymen again; *Thomas D' Affino* of *Valentia*, who was of the third Class of Divines, said, That to doubt concerning an ecclesiastical Hierarchy, was to be very ignorant of Anti-

Antiquity, which plainly teaches, that in the Church the People have always been governed by the Clergy, and in the Church the inferior Orders by superior, till they went up to one single Rector, who is the Pope. When he had laid down this Thesis, he added, that there was no need of any thing but to prove this Truth by censuring the contrary Errors, which the Schoolmen, who were used to perplex the clearest Things by subtilizing too much upon them, had introduced in opposition to the Canonists, who place simple Tonsure and Episcopacy amongst the Orders: That he could not comprehend how the former could own, that Confirmation, Ordination, and so many other Consecrations, were so properly the Bishops Work, that whoever else meddled with those Functions did nothing; and yet deny that Episcopacy was an Order, tho' they made the Duty of shutting the Doors to be one, which might as well be shut by a Layman: That as to the simple Tonsure, he had always heard Divines say, that the Sacrament is an outward Sign, signifying an invisible and a spiritual Grace: That he was therefore much amazed that they should deny the simple Tonsure to be a Sacrament, where there is a Sign and a Thing signified, which is, a Distinction to divine Things; besides, that is the Way by which Men enter into the Clergy, and partake of ecclesiastical Exemptions: That if it was not instituted by Jesus Christ, it could not be said, that to be a Clergyman, or to enjoy those Exemptions, were of divine Right: That it is manifest that Hierarchy consists of ecclesiastical Degrees, and the Word signifies nothing but the sacred Order of Superiors and Inferiors: That this sacred Order can never be well settled, if with the Canonists we do not make the simple Tonsure the lowest Degree, and Episcopacy the highest; because while the first and the last subsist, the intermediate ones of necessity follow; and on the contrary when those two fail, the others lose their Foundation. Upon the other part of the Article he said, that the People formerly assisted at the Election of Bishops, and the Ordination of Priests and Deacons, and also had a Vote; but then this was done by a tacit or express Consent of the Pope's; because no Layman can have any Authority in spiritual Things, but by a Privilege from the Pope: That this Favour was then granted, because the People and great Men were then very devout, and so did more good to the Church, and respected those more in whose Election they had a Share; but that afterwards when that Fervor was gone, and Laymen presumed to raise to ecclesiastical Dignities Men that were devoted to their Wills, there was a necessity of excluding them from Elections. He concluded, that it was his Opinion, not only that that Article should be condemned as heretical; but also that all those Passages in the Pontifical, which mention the Suffrage and Consent of the People, should be struck out.

Francisco Foreiro, (b) a Jacobin, Divine to the King of Portugal, said there could be no Question concerning the Hierarchy of the Catholick Church, which was authorized by apostolical Tradition, by the Testimony of all Antiquity, and by the immemorial Usage of the Church: That tho' that Word had not always been in use, yet the Thing which it signified had always subsisted: That *Dionysius the Areopagite*, had written a Book about it on purpose: That the Council of *Nice* had called it an ancient Custom: That what the Fathers called ancient in the beginning of the fourth Century, must be carried as high as the Apostles: That in his Opinion, this was not a proper Place to treat of the Sacrament of Order, tho' several Schoolmen had done it, when they placed the Hierarchy in the upper and lower Orders; which cannot be right, because the Pope is the su-

pream Hierarchy, after whom are Cardinals, Patriarchs, Primates, Archbishops, Bishops, and then Archpriests, Archdeacons and other subaltern Superiors, all under the Pope, who is their sole Head: That if we lay aside the Dispute, whether Episcopacy be an Order, yet at least it is certain, that Archi-Episcopacy, the Patriarchate and Pontificate are not Orders; but only certain Superiorities of Jurisdiction over Episcopacy: That Hierarchy consequently consists in Jurisdiction, in which the Council of *Nice* does in truth put it, when it speaks of the Popes of *Rome*, *Alexandria* and *Antioch*; and that consequently they ought not to have treated of Hierarchy, when they were to treat of Order, for fear of giving a handle to Calumny.

Amante, an *Augustinian* Monk, Divine to Cardinal *Madruccio*, said, that most of those who spake before him, had only advanced probable Reasons; and some Similitudes, which, when Articles of Faith, are discussed, are so far from convincing an Adversary, that they confirm him yet more in his Opinions; which he confirm'd by a Passage of *St. Augustine's*. He added, that Men should speak in Council, differently from what they do in Schools: That in these, the more Men dive into any Matter, the better they do: But that it was for the Dignity of Councils, to examine nothing but what they could unravel and make evident: That now they were disputing upon Questions, of which Man could not have a compleat Knowledge in this Life, God not being willing that Man should know every thing: That upon this Article, it was sufficient to say that the Church is a Hierarchy composed of Prelates and Ministers; that these are ordained by Bishops; and that Order is a Sacrament in which the Laity have no Share.

John Ramirez, grounding upon the Doctrine of *Scotus*, said, that Order ought not to be called a Sacrament, because it is invisible and permanent, whereas all Sacraments ought to be visible; that all but the Eucharist consist in some Action: That therefore to avoid all Difficulties, they ought to say that it was not Order, but Ordination, which is the Sacrament. This Opinion was contradicted by all the Divines, who went upon the Council of *Florence*, which declares that Order is a Sacrament.

The 4th Class of Divines was no less divided upon the 4th Article; namely, Whether the Holy Ghost is received in Ordination, and what Character is imprinted at that time; for tho' all agreed that the Holy Ghost is received and given in Ordination, yet some said he was given in his proper Person, others only by the Gift of Grace: Upon this they disputed long; for the latter contested among themselves, whether it was justifying Grace which was given, or only a Gift to enable them to exercise their Employment: Those who were for the former Opinion went upon this, that all Sacraments confer the Grace of Justification; and those who were for the latter, upon this, that an impenitent Person cannot receive that Grace, who yet receives Order. As for the Character, all the Divines were agreed, that the Priesthood imprints one; but in every thing else they were of different Opinions; for some restrained the Character to sacred Orders, and others extended it to all the seven; some used the Distinction of *Durandus*, Bishop of *Mende*, who said, that if by the Character was meant a Power of producing a spiritual Effect, it is only in the Priesthood; since none but a Priest can consecrate or forgive Sins; consequently that it is not in the other Orders, whose Functions are corporeal, and are as well performed by Seculars, as by those who have receiv'd Orders, and even without venial Sin: That if a Deputation to such or such an Employment be meant; then all Orders have their proper Character. Some answer'd,

[(b) This *Foreiro*, was one of those, who by Order of Pope *Pius V.* wrote the *Catechismus ad Parvulos*, which was drawn up by vertue of a Decree of the Council of *Trent*. The other

two, were *Leonardus Marinus*, Archbishop of *Lanciano*; and *Aegidius Foscarinus*, Bishop of *Modena*.]

that this Opinion was *Lutheran*, and contained in the first Article, and by Consequence, that a proper and indelible Character ought to be acknowledged in every Order. Some would even have that applied to the *Simple Tonsure*, as well because it is never repeated in those that have been degraded, as because it puts those that receive it into Possession of Ecclesiastical Exemptions; besides, there is no other way of maintaining, that Clerkship and its Immunities are of Divine Right, but by saying that *Simple Tonsure* is of Divine Institution. As for *Episcopacy*, there was more Difficulty; for it revived the Question, Whether it is an Order? because it having two Functions proper to it self, namely, Confirmation and Ordination, the spiritual Power which gives the Character is necessary, without which, Ordination and Confirmation could never have their Effect.

The sixth Article, namely, Whether Unction and the other Ceremonies are necessary or superfluous in Ordination, or whether they are pernicious, was then debated. The Divines unanimously condemned the *Lutherans*, for speaking against the Unctions and Ceremonies used in Ordination: Some were for distinguishing the necessary ones which belong to the Substance of the Sacrament, as the Council of *Florence* had done before, and for declaring those Hereticks who should say, That Orders may be received or given without these Ceremonies: That for the other Unctions which are not necessary, they needed only condemn those in general Terms, which they should call pernicious: Then the Question being to distinguish what Unctions were necessary, and what were not? there was a long Dispute: *Melchior Cornelius*, a *Portuguese* Canonist, said, That it was certain that the Apostles, in their Ordinations, used to lay Hands; and that the Holy Scriptures never speak of any Ordination without mentioning that Ceremony, which was afterwards esteemed so essential, that Ordination was commonly called Imposition of Hands; and yet *Gregory IX.* says, this Custom was introduced by the Successors of the Apostles, and that several Divines did not believe it necessary: That it appears by a Decretal of *Innocent III.* That Unction was not used in all Churches, and that the Cardinal of *Ostia*, *Johannes Andreas*, and *Panormitan*, all famous Canonists, and some others, affirm, That the Pope can ordain a Priest with a single Word, only saying, *Be thou a Priest*: That *Innocent IV.* says, That if the Forms of Ordination had not been fixt, it would have been sufficient for the Bishop to have said, *Be thou a Priest*, or Words to that purpose, because the Forms now observ'd, were afterwards introduced into the Church. He advised them not to speak of necessary Ceremonies, but only to condemn those that they should judge to be superfluous or pernicious. That Advice was followed.

When the Divines and Canonists had given their Opinions, *Gaspar de Fosso*, of the Order of *St. Francis* of *Paula*, Archbishop of *Reggio*; *Callini*, Archbishop of *Zara*; *Andrew de Cuesta*, Bishop of *Leon*; *Sala*, Bishop of *Viviers*; *Suarez*, Bishop of *Conimbra*; and *Coloscarin*, Bishop of *Chonad*; were chosen to draw up the Decrees: That was done in eight Days.

And so the Congregation of Bishops began upon October 13. to examine the Canons which the Bishops Committees had drawn up: All the Patriarchs and Archbishops, who spake before the Archbishop of *Granada*, approved them as they were; but after that Archbishop had explained himself in few Words upon the six first Canons, he stopt at the seventh, which related to the Superiority of Bishops. He demanded, That after these Words in this Canon, *If any one says, That Bishops are not superior to Priests*, they should add of *Divine Right*, because in *Julius* the III's Time, this Canon had been so

proposed by Cardinal *Crescentino*, and then assented to by the Council; to prove which, he called the Bishop of *Segovia*, who had been present there, and *Preconius*, Archbishop of *Palermo*, who was there also, to be his Witnesses. He maintained, that they could not avoid declaring upon these two Points, that the Institution of Bishops is *jure divino*, and their Superiority likewise, because the Hereticks denied both. To prove this Assertion, he quoted several Passages of the Fathers, particularly one out of *St. Cyprian*, in a Letter to *Rogatianus*, wherein he says, That as Deacons are made by Bishops, so Bishops are made by God himself, and that Episcopacy is but one in all Bishops. Whence he concluded, That the Pope is a Bishop as others are, he and they being Brethren, Children of the same Father, who is God, and of the same Mother, which is the Church; and that therefore the Pope calls them his Brethren, not out of Civility or Humility, but because that was the Way that Popes and Bishops treated one another, before Discipline was corrupted; so that if the Pope be of Divine Institution, Bishops, who are his Brethren, are so too. Then he ridiculed those Divines, who said that the Authority given by Jesus Christ to his Apostles, was personal, and could not pass to their Successors, except *St. Peter's*: Asking them, as if he had spoken directly to them, what they built upon, to maintain so boldly an Opinion not of fifty Years Standing, and contrary to the Promise which Jesus Christ made to his Apostles, *That he would be with them to the End of the World*, which cannot be understood of their Persons, but only of their Successors, as all the Fathers interpreted it. He said also, that if the Sacraments are instituted by Jesus Christ, then he must also have instituted Ministers; and if the *Hierarchy* be of Divine Right, and the sovereign *Hierarchy* instituted by God, then we must confess that the other *Hierarchs* are so likewise. Whence he concluded, that all this being true and certain, and denied besides by the Hereticks in several Places, of which the Bishop of *Segovia* had made a Collection, there was a Necessity for the Council to determine and condemn those Errors.

The Cardinal of *Warmia* here took an occasion to interrupt him, saying, as he and his Colleagues had agreed together, that the Hereticks did not contest this Matter: That on the contrary, those of the *Augsburg* Confession were of the same Belief; so that it was not advisable to dispute a thing about which Catholics and Hereticks were agreed: To this the Archbishop of *Granada* replied, That the Confession of *Augsburg* formerly contradicted it, and affirm'd, That the Superiority of Bishops has no other Foundation than Custom, authorized by an Ecclesiastical Constitution: He required moreover, that the Council should decide this Matter, or at least should answer his Reasons: The Cardinal of *Warmia* replied, That the Hereticks did not deny the Things they spake of, but only inveighed against the Manners of the Age. At last, after several Replies on both Sides, the Archbishop of *Granada* said with Indignation, that he referred it to the Nations.

(c) The Archbishop of *Zara* was for putting in the Words of *Divine Right*, to condemn the contrary Assertions of the Hereticks in the Confession of *Augsburg*: And when the Cardinal of *Warmia* defended what he said before obstinately, the Archbishop of *Zara* shew'd him the Passage; which set the whole Congregation upon disputing about it.

In the following Congregations their Opinions were equally different. Dom *Bartholomew dos Martires*, Archbishop of *Braga*, insisted upon putting in the Words, of *Divine Right*; maintaining, that they ought not to be left out; and that the Pope

[(c) i. e. He was for having the Prelates give their Votes; at the Beginning, the Bishops who were for Reformation laboured after, and which the Popes constantly opposed.]

could not take from Bishops the Authority which they received at their Consecration, which contained not only a Power of Order, but also of Jurisdiction; because at their Ordination they received a Flock to feed and govern, without which it would be null: And for that Reason a City is assigned to titular Bishops; which would not be, if the Episcopal Order could subsist without Jurisdiction.

The Bishop of *Segovia*, who assented to all the Archbishop of *Granada*'s Conclusions, Step by Step, read Abundance of Passages, in which the Hereticks deny the Superiority of Bishops, and their Institution by God. He said, That as the Pope is the Successor of St. Peter, so Bishops are the Successors of the Apostles: That if we read the History of the Church, and the Letters of the Fathers, we shall plainly see that all Bishops gave an Account to one another of Things which happen'd in their own Churches, that they might receive the Approbation of their Brethren; and that the Pope likewise informed them of what happen'd at *Rome*. He added, that the principal Patriarchs at their Election, sent Circular Letters, to give an Account of their Ordination and their Belief; and that Popes did the same to the other Patriarchs, as they did to him: That if they weakned the Episcopal Power, they lessen'd the Power of the Popes: That Bishops received spiritual Power and Jurisdiction from God alone: That the Pope only gave them the Exercise of this Power and Jurisdiction, by assigning them their Dioceses; and that Episcopacy is not Episcopacy without Jurisdiction. He cited P. *Anacletus*, who said, That Episcopal Authority is given by the Unction of the Holy Chrism; and that Episcopacy is an Order instituted by Jesus Christ, as well as Priesthood. He added, That all the Popes down to *Silvester* said, either on purpose, or occasionally, That Episcopacy is an Order which comes immediately from God: That the Words said to the Apostles, *Whatsoever ye shall bind on Earth*, give a Power of Jurisdiction; which Authority necessarily goes down to their Successors: That Jesus Christ instituted the Apostles with Jurisdiction; and from their Time to this, the Church has always assigned some; so that this may pass for an Apostolical Tradition: That after it has been defined, that Articles of Faith come to us from Scripture and Traditions, it cannot be denied that the Doctrine of the Institution of Bishops is an Article of Faith; and the rather, because St. *Epiphanius* and St. *Augustine* place *Aërius* among the Hereticks, because he made Presbyters equal to Bishops; for which he would not have been reprehended, if Bishops had not been of Divine Right.

The Bishop of *Orense* was of the same opinion; and observed, that as Hereticks attacked the Hierarchy, so its Degrees ought to be well settled and distinguished; and they ought to shew, that God is its Author.

Some *Italian* Bishops were against this Declaration, and distinguished in Bishops the Power of Order from that of Jurisdiction; allowing, that the Power of Order was of Divine Right; but maintaining, that the Power of Jurisdiction was not. The Bishop of *Lucca* did not subscribe to their Opinion; and affirm'd, on the contrary, that God having principally appointed Bishops to govern the People, it was against good Sense to say, that he did not give them Jurisdiction and Authority to do it. The Bishop of *Alisa* saved all with a Subdistinction, saying, That Episcopal Jurisdiction, in its self, comes from God; but that the Determination of that Jurisdiction to a particular Subject, comes from the Pope. The Bishop of *Rimini* had another, and distinguished voluntary and contentious Jurisdiction; pretending that this last depends upon the Pope.

George Zischewid, Bishop of *Segna* in *Croatia*, said, He was extremely surprized to see the Divine Right of Episcopacy disputed in the Council: For if Bi-

shops are not from God, from whom have they their Authority? And whence has the Council, which is a Body of Bishops, its Authority? Let an Assembly be never so numerous, it must have its Authority from him, from whom every particular Member derives his own. Now if Bishops are instituted by Men, the collective Authority of them altogether is but human. He that hears Men say, That Bishops are not of Divine Right, cannot conceive a Council to be any thing but an Assembly of profane Persons; in which it is not Jesus Christ that presides, but a precarious Power which is received from Men. To what purpose, added he, should the Fathers stay at *Trent* after this, with so great Inconvenience and Expence, whilst he that has given them the Power of treating upon Matters, can do it all himself with more Authority? This is to mock Christendom; to propose a Council, not only as the best, but as the only Way of deciding Controversies: That, for his Part, he would never have come to *Trent*, if he had not believed that Jesus Christ was to be among them: That no Man can deny, but wherever Jesus Christ assists, the Authority is from him: That if any Bishop believed otherwise, and that his Authority was human; it has been a mighty Boldness in him thus long to pronounce *Anathema*'s, whereas he ought to have referred every thing to him who has a greater Authority: That had the Authority of the Council not been certain, the first thing which they should have begun with, when it was opened in 1545. should have been, to determine from whom they had their Power; as is practised, in other Tribunals, where the Competency of the Judges is decided before the Cause is begun, that so the Sentence may not be looked upon as null, because it was not pass'd by a lawful Power. That the Protestants, who sought all Ways to disgrace this Holy Council, could not have a more plausible one, than to say, that it question'd its own Authority: That the Fathers therefore ought to mind what they had to do; since the Validity or Nullity of the Acts of the Council depended upon this Point, as it should be well or ill determin'd.

Of 180 Fathers who gave their Opinions, 53 were of the Archbishop of *Granada*'s Opinion: Some spake ambiguously; and most of them let this Article pass without saying any thing to it.

After the Bishops, F. *Lainez* spake, whose Speech lasted above two Hours: It was divided into two Parts. In the first he proved, That the Power of Jurisdiction belongs to the Pope; and that in the other Orders there is no one Part that does not proceed from the Authority of the Pope: In the second Part, he endeavour'd to refute the Objections which could be rais'd against it. The Creatures of the Court of *Rome* applauded this Discourse. The Bishop of *Paris*, who fell sick just at the time when he was to give his Opinion, told those who gave him an Account of F. *Lainez*'s Discourse, that in the first Congregation he would speak against the Doctrine of that Father.

The Legates, who understood that the *French* Bishops were upon the Road, were sensibly touched when they were told of what the Bishop of *Paris* had said concerning F. *Lainez*'s Speech; well foreseeing, that the Bishops of *France* would not fail to oppose the Sentiments of that Father, which were so favourable to the Court of *Rome*: But they were more so, when they understood, that at a great Entertainment, which the *French* Ambassadors gave to other Ambassadors, and to a great Number of Prelates, they had said publicly, that they were scandaliz'd at the Assertions of F. *Lainez*; and that they plainly saw, That the Generality of Prelates did not, when they gave their Opinions, speak what they thought, but only repeated what the Legates had said to them in particular. Wherefore they resolved to have the Decrees drawn up out of hand, and to put an End to this Business before the *French* Prelates arrived.

In the Congregation of October 20. they consulted how to draw up a Canon concerning Hierarchy, which all the Bishops might consent to. *Naclantus, Marinus, Foscararius, and Castagna*, drew it up. It was communicated to the *Spanish* Bishops, but they did not like it; and earnestly demanded, that the Canon might appear as it was drawn up in *Julius III's* Time. The *Italians*, on the contrary, demanded, that the Canon might pass as it was now drawn up. A third was made, which ran in these Words:

The History of the Council of Trent.
Draught of a Canon concerning the Institution of Episcopacy.

Whoever shall say, That the Authority of Bishops to Ordain, Confirm, and Teach, is not of Divine Right; and that the Jurisdiction which they have, was not given them by Jesus Christ, in the Person of St. Peter, his Vicar, by whom it is communicated to them, when they are called to some Part of the Cure; or shall say, That they are not superior to Priests: Let him be Anathema.

The *Spaniards* would not consent to this Form, no more than to another like it, which was proposed: They disputed long upon a Matter of Fact, namely, Whether this Canon had been drawn up and approved in *Julius III's* Time? And this Dispute about the Institution of Bishops, could neither be accommodated nor ended: So that the Legates thought it necessary to lay aside the Examination of the Decrees which had been made about the Sacrament of Order, and to propose some Point of Reformation, that they might give those who had been warmed with the Dispute about the Institution of Bishops, Time to cool. The Bishop of *Paris* told the Legates, That it was high Time to labour after contenting the *French* and the other Nations, by choosing Bishops out of every Nation, who might examine the Necessities of their own Countries, which the *Italians* could not know at *Trent*, or at *Rome*: And, that all that had been hitherto done in that Matter, ought to be looked upon as nothing. The Legates, who saw plainly, if this Method were pursued, they should fall into great Perplexities, proposed to make a Decree concerning Residence; and the Bishop of *Marcerata* was ordered to draw it up.

Decree concerning Residence proposed.

Nov. 6. the Cardinal of *Mantua* proposed a Decree of Residence; saying, That it was a necessary Thing, which all Princes desired, and which the Emperor demanded several Times, who complained, That that Article was laid aside; and that they amused themselves with useless and unseasonable Disputes: That there was no need of debating it over again; they were now only to find out Means to execute what every one should judge necessary. That the Kings of *Spain* and *France* had demanded the same Thing as the Emperor had done; and that all *Christendom* desired a Regulation: That this Matter was treated of in *Paul III's* Time; but then some Persons running into superfluous Questions, that Debate was interrupted: That, for the same Reasons, it would be sufficient for the present, to treat of what was proposed in the Decree: Adding, That they had determined to follow the Remonstrances which the *French* Ambassador had several Times made to them; that they need only decree, That Bishops should reside; it being of no moment, to know from whence that Obligation proceeded. This Decree set forth, That residing Bishops should not pay Tenths, or any other Imposition, tho' settled by Princes or Kings. This disturbed the Ambassadors; but the *French* Minister dissembled it at that Time, and afterwards complained to the Cardinal of *Mantua*, for appealing to him without giving him Notice; saying, That if he had spoken freely to him upon that Subject, he did it as a Friend, and not as an Ambassador: And, to add more Weight to his Complaint, he reproached him with naming the King of *Spain* before the King of *France*. He said nothing about the Tenths, hoping that the Noise which he made, and the Opposition of those who would have it determined, that Residence is of Divine Right, might hinder the Passing of that Decree. The Bishop of *five Churches* said only,

That he did not think the Emperor's Intentions were truly represented by the Legate. *Pagnano*, Agent to the Marquis of *Pescara*, demanded, That the Decree might be so drawn up, as not to prejudice the Favour granted by the Pope to His Catholic Majesty, for the Support of his Gallies. The Legates hoped to bring over the Bishops to them by the Clause of the Tenths: But when they heard of an Exception for *Spain*, they began to say to one another, That the Legates were for making Favours of what they could not grant; since in *Spain* and *France*, and every where else, they should be constrained to pay Contribution, and even in the ecclesiastical State it self they should be deprived of that Immunity.

The History of the Council of Trent.

About this Time the Cardinal of *Lorrain* came to *Brescia*: The Pope having Notice of it, sent *Charles Grassi*, Bishop of *Montefiascone*, to compliment him; and ordered the Legates to put off the Session; but upon Condition, that they should not stay longer than *November* before they held it. The Fathers of the Council, following the Pope's Example, sent *Urbain de la Rovere*, Bishop of *Sinigaglia*, to make their Compliments to that Cardinal: He met him at the *Lago di Garda*; and they resolved to hold no Congregations till he came.

Arrival of the Cardinal of Lorrain.

Cardinal *Madruccio*, accompanied with several Prelates, went a Mile out of Town to meet him. The Legates met him at the Gate of the City, and carried him in Procession to his Lodging. The Cardinals of *Mantua* and *Scripandus* placed him in the middle: They thought they ought to pay him the same Honour, which the Cardinals *del Monte* and *Santa Croce* had paid him before, when he went through *Bononia*, where the Council was then held, to receive his Hat at *Rome*. The two other Legates, and Cardinal *Madruccio*, went behind; who were followed by the ecclesiastical Ambassadors of the Empire and of *Poland*, and by 131 Bishops. The Lay-Ambassadors of *France*, *Venice* and *Florence*, went before the Legates. That very Evening the Cardinal of *Lorrain* paid a Visit to the Cardinal of *Mantua*; and next Day he went with the Sieurs *de Lansac* and *Ferrier* to an Audience of the Legates, to whom he presented the King's Letters directed to the Council; and after that, he made them a long Discourse to this Purpose; That he had no other Design in coming to *Trent*, but the Service of the holy See: That he was resolved to communicate every Thing with the Pope and Legates; to ask nothing but with the good Liking of His Holiness; and to avoid all useless Disputes: That their Debates concerning the Institution of Bishops, and Residence, which have been so much talked of, have lessened the Authority of the Council, and made it likewise lose much of the Respect which the World had conceived of it: That, for his Part, he was inclinable to think they were of Divine Right; but yet, if it were certain, he saw no Necessity nor Advantage in making such a Declaration: That the Drift of the Council ought to be to reunite those that are separated from the Church: That having conferred with the Protestants, he did not find they were so far alienated, but they might be reduced: That there never was a more proper Time to do it in than the present, when their Union with the Emperor was more strict than ever it had been before: That several among them, particularly those of *Wirtemberg*, were desirous to come to the Council; but then they must be allured to it by some Beginnings of Reformation, in which the Service of God obliged the Legates to take Pains. He set forth the Desire which the King of *France* had, that proper Remedies should be applied to the Necessities of his People; because, in the War which he had with the *Hugonots*, he might probably have great Differences with the Catholics, who would certainly fall into Disobedience, if they neglected any longer to reform the Abuses which had been introduced: That

Cardinal of Lorrain's Discourse to the Legates.

The History of the Council of Trent. That this was the Reason why he was sent to the Council. He complained, that of all the Money which the Pope promised to lend the King, his Majesty could get but 25000 Crowns, which were paid by the Cardinal of Ferrara, because of the Conditions which his Holiness imposed; namely, the suppressing the *Pragmaticks* of the Parliaments of France; which was so difficult a Matter, that he had no longer Hopes of receiving one single Penny more of what had been promised him. At last, he said, he desired to speak in the King's Name to the Fathers of the Council, in the next Congregation; after which, he would content himself to give his Opinion freely as an Archbishop, without concerning himself in the least with the Affairs of the Kingdom; the whole Direction of which he left with the Ambassadors of France, to whom he brought new Orders.

Legates Answer. When the Legates came to answer the Cardinal of Lorrain, they commended his Piety and Respect to the holy See; and promised likewise to communicate every thing with him: They told him with what wonderful Patience they had born with the Liberty, or rather Licence, of the Bishops, who pass'd from Question to Question, when they gave their Opinions: That now he had join'd them, they might, by his Help, repress that extream Licence, and pacify Differences in such a manner, that the World might be as much edified for the future, as it had been scandalized with them before: That they knew the Malice of the Protestants but too well, who, when they appeared to be most ready to come to an Agreement, were contriving the most dangerous Divisions: That they certainly demanded a Council, because they believ'd it would be refus'd; and even when they ask'd for it, they put thousands of Obstacles in its way: That those that were at the Diet of Franckfort, labour'd all they could with the Emperor to break it: That they hated the Council as much as they did the Pope; and had demanded it heretofore, only to cover their Apostacy: That therefore they ought no longer to mind their Conversion, but only endeavour to preserve the good Catholics. They also commended the King's Piety and good Intentions; and set forth all that the Pope had done on his part, to reform his Court, without regarding the lessening of his own Revenues; and the Solicitations which his Holiness had used with the Fathers of the Council, to labour after the Reformation of the Church: That they desired it for their parts, but the Bishops squandred away the Time in Disputes: That if the French Catholics wavered, the Pope ought to be made acquainted with it. For the Money that was promised, they said, his Holiness loved the King so tenderly, that nothing but pure Necessity could make him impose any Conditions. At last, after several Compliments on both sides, they agreed that the next Monday there should be a general Congregation held, when they would hear the Subject of his Embassie from his own Mouth.

Contest between the Abbots of Clairvaux and Mont-Cassin. The Cardinal of Lorrain having a slight Fit of a Fever, excused himself from going to the Congregation; desiring however that they would proceed slowly, that he might be present at their Debates. The Legates, to please him, began much later than ordinary, and only summon'd all the Bishops, who (with the French Bishops that came next Day) made up at Trent, at that time, the number of 218. They did no Business that Day, because of a Difference which rose about Precedence, between the Abbot of Clairvaux and the Abbot of the Congregation of Mont-Cassin. The Reasons upon which the Abbot of Clairvaux grounded his Plea, were, that the Abbot of Mont-Cassin was not truly of the Order of St. Bennet, but of the Congregation of St. Justina, which was but a little while ago confirm'd by Eugenius IV. He alledged besides, several Prerogatives which the Abbots of Clairvaux had above those of

The History of the Council of Trent. Mont-Cassin. On the contrary, the Abbot of Mont-Cassin said, that they were originally of the Order of St. Bennet: That it was very true there had been some Change since Eugenius IV's Time, but they all along kept up to the Rule of St. Bennet. There being therefore a Necessity of examining the Bulls and Privileges of both, which would have required a considerable Time, the Abbot of Mont-Cassin rather chose to yield, upon Condition that the Abbot of Clairvaux would own them to be Sons of St. Bennet.

The Pope sends Italian Bishops to Trent. Now, to get over all those Difficulties which the Bishops of France and Spain might start, the Pope resolved to send a great Number of Prelates to the Council: He commanded therefore all Bishops, Titulars, Coadjutors, and even those who had laid down their Bishopricks, to go away immediately. He was desirous that Marco Antonio Bobba, Bishop of Aoste, the Ambassador from Savoy, should go; and on the other hand, he forbade the Bishop of Sasfari to go; because in Paul III's Time, he had courageously maintain'd, that Residence of Bishops was of divine Right. Sebastian Gualtieri, Bishop of Viterbo, having given the Pope to understand, that he had some powerful Ways, by which he could govern the Cardinal of Lorrain, and that he could easily discover all his Intentions; his Holiness, in hopes of that, carest him exceedingly, and exhorted him to go speedily away to Trent.

Cardinal of Lorrain desires that du Ferrier might be heard. Nov. 22. the Cardinal of Lorrain being resolved to present his most Christian Majesty's Letters next day to the Council, acquainted the Legates, that when his Letters of Credence were read, he would make one Discourse, and du Ferrier should make another: But the Legates foreseeing, if that were allow'd to that Ambassador, all the rest would in like manner speak and propose, which would still cause more Confusion; returned Answer, that neither under Paul III. nor Julius III. nor Pius IV. it had ever been permitted to Ambassadors to speak in Congregations, only upon the Day of their publick Reception: So that they could not allow of this Innovation, without the Pope's Consent. The Cardinal of Lorrain replied, that they having new Instructions from the King, this might be taken for a new Embassie, and for a first Entry. After many Answers and Replies, the Cardinal of Lorrain gave his Word, that du Ferrier should speak once for all: And so the Legates yielded to his Desire, lest a Refusal might have served him for a Pretence to have given the Council a great deal of Trouble.

King of France's Letters. Next Day, Nov. 23. the Letters of his most Christian Majesty, dated at Rouville, Octob. 7. and superscribed, To the most holy and most reverend Fathers assembled at Trent, to celebrate the holy Council, were read in the Congregation. In these Letters the King said, that God having called him to the Government of a great Kingdom, it pleased his infinite Wisdom to afflict the Beginning of his Reign with a civil War: That yet the divine Goodness had so far open'd his Eyes, that tho' he was but a Child, he had found that Diversity of Opinions in Matters of Religion was the Root of all this Evil: That ever since his Coming to the Throne, he, moved by the Holy Ghost, had desired and solicited that a Council might be held, as the only Remedy proper for his State: That after he had been the first Author of this pious Design, he had the Mortification to see, that his Bishops had not also been the first that went to the Council; but that all the Fathers and all Christendom knew the Cause, and would judge of the Sincerity of his Intentions by his sending the Cardinal of Lorrain, his Cousin, with the Prelates and Abbots who accompanied him: That he sent him to them for two Reasons; one was, to comply with the Desire which that Cardinal had, to acquit himself of his Duty as a Bishop; the other, that having been brought up from his tenderest Youth, in the Management of the most important Affairs of his Kingdom,

dom, he perfectly knew its Necessities, of which he had Orders to give them an Account, that so he might obtain from them such Remedies, as were to be expected from their Prudence and Fatherly Love; not only for the Settlement of the Quiet of his own Kingdom, but also for the universal Good of *Christendom*: That he prayed them therefore to labour after it with their ordinary Application, that so the Catholick Church might recover its Ancient Lustre, by the Re-union of all Christians in one sole Religion; a Work worthy of them, and the Expectation of all Princes and Nations, who would publish their Praises to all Posterity; besides their receiving Immortal Recompence from God: Lastly, that the Cardinal of *Lorrain* being perfectly well apprized of his Intentions, he conjured them to put the same Confidence in him, that they would do in His Majesty's proper Person.

Cardinal
of Lor-
rain's
Speech.

Then the Cardinal of *Lorrain* spake, and began with a long Enumeration of the Evils with which *France* had been afflicted by the Hugonots, who, sparing neither Things Holy nor Profane, had burnt and profaned Churches; burnt their most precious Ornaments; carried away or melted their sacred Vessels; destroy'd their Monasteries; and consumed the richest and noblest Libraries of the Kingdom with Fire; massacred Priests and Monks at the Feet of the Altars; driven away the Pastors of their Churches; violated the Tombs of their Kings and Princes; and led the People to despise Regal Majesty: Then enquiring into the Causes of all these Evils, he said, he could find no other but Corruption of Manners, Relaxation of Discipline, and the small Care which has been taken to repress Heresie in its Birth: Whereupon, turning to the Ambassadors of Princes, he said, they might plainly see at Home, but with an unseasonable Repentance, what they looked upon amongst others with Indifference; for if once *France* should fall, it would draw after it the Ruin of its Neighbour States. He added, that there was still a Remedy: That the King of *France* had an excellent Disposition: That the Queen his Mother, and the King of *Navarre*, gave him wise Councils: That the great Men of the Kingdom were full of Zeal and Courage, and they still had Money to procure Auxiliary Troops from all Quarters: That in the midst of all this, His Majesty's readiest Assistance was in a Council, from which he expected to receive Divine Peace, which is the greatest of all good Things: That in order thereunto, His Majesty required two things from the Council; one was, to lay aside new and useless Questions, and to procure a Suspension of Arms between Princes, that so Protestants might not have Reason to believe, that the Council would rather stir up Princes to make Alliances and Wars, than to reconcile Mens Minds and to preserve the Unity of Peace. The Other, that the Council would seriously labour after Reformation of Manners, and Ecclesiastical Discipline; which was the only Means of preserving the Authority and Dignity of the Church, and of keeping *France* in Obedience: That Reformation ought to be begun in the House of God: That it was the Bishops Business to take care of themselves and their whole Flock. He concluded with saying, he had finished his Commission, and that the Ambassadors of the King his Master would say the rest. At last he protested, that he, and the Bishops his Companions, resolved to be all their Lives time subject to our Most Holy Father *Pius IV.* and acknowledge his Primacy in the Church: That they respected the Decrees of this Holy General Council: That they very willingly submitted to the Legates, and desired to live in Peace with the other Bishops; and that they were Happy in having the Ambassadors of Princes to be Witnesses of their Thoughts, which only tended to the Honour of God.

Cardinal
of Man-
tua's An-
swer.

The Cardinal of *Mantua* answer'd him in short, testifying the Joy which the Fathers had that the Cardinal of *Lorrain* was come; commending the Zeal

of him and his Brethren for the Service of God, and leaving all the rest to the Answer which the Archbishop of *Zara* was going to make him in the Name of the Council. Then the Archbishop stood up, and said, that the Fathers were always extremely uneasy to hear of the Miseries of *France*; but that now their Grief was so much the greater, by how much the Picture, which this Cardinal had just now made, had set before their Eyes what before they had only heard of: That they comforted themselves however with the Hopes, that His Most Christian Majesty, treading in the Steps of his Ancestors, would soon quell the Boldness of the Disturbers of his State: That they had all possible Reason to hope, that the true Worship of God would be re-established, Manners corrected, and Peace restored to the Church, since the Council had so good a Coadjutor. Then he went on to the Commendations of that Cardinal, and thanked God for his happy Arrival. At last he said, the Fathers would always willingly hearken to what he and the Ambassadors of *France* had to propose; being satisfied, that they would desire nothing but what was for the Honour of God, and the Service of the Church and the Holy See.

When the Archbishop of *Zara* had replied, in the Name of the Council, to the Cardinal of *Lorrain*'s Speech, Monsieur *du Ferrier*, the Ambassador, spake in these Words: 'We have nothing, Gentlemen, to add to, or take from, what you have heard; we have but one thing to say to you, if you be willing to hear it, in order to satisfy the Duties of our Charge. Tho' the Piety and Zeal of his most Christian Majesty, for the Interests of the Catholick Church, have been hitherto sufficiently known; yet they appear at present more Illustrious, by His Majesty's sending of the Cardinal of *Lorrain*, whom he had always made use of in the most important Affairs of his Kingdom: So that now it can be no longer doubted of; and a Man must be very stupid, not to see and comprehend, that *France* has no other Views but the Good of the Catholick Church. Those are foully mistaken, who imagine that His Majesty, in this Conjunction, is guided only by private Interest; since, if he had not the Church in view, it would be easie for him to appease, if he had a Mind, in a few Days, these Troubles; and to retain his Subjects, in their Duty, who are naturally inclined to Obedience: but on the contrary, he rather chooses to hazard his own Kingdom, and the Estates of his whole Nobility to preserve the Pope's and the Church's Authority in *France*: And this is now the Root of all our Misfortunes. If any Man now has a Mind to know of us what the Church of *France* desires of the Fathers of the Council; we reply, that the Propositions we have to make to it, are neither troublesome nor exorbitant, since they contain only the Demands which have been made to it by all *Christendom*; which are only those which *Constantine* the Great made formerly to the Fathers of the Council of *Nice*. His Christian Majesty requires nothing more: All his Demands are contained in the Holy Scriptures, in the Ancient Councils, and in the Constitutions of Fathers and Popes. For all that His Most Christian Majesty, as Eldest Son of the Church, demands of you as Judges appointed by Jesus Christ, is, that you would restore the Church to what it was before; not by a Decree of General Clauses, but according to the express Words of that Perpetual and Divine Edict, against which, neither Prescription nor Usurpation have ever any Place: In a Word, that those Holy Rules, which Satan has so long held in Captivity, may be set free, to re-enter into the City of God. Thus *Darius* pacified *Judea*, by executing an Old Decree of *Cyrus*'s: And *Josiah* reformed the *Jews*, by causing the Book of the Law to be read and observed; which after it had been long concealed by the Malice of Men,

The His-
tory of the
Council of
Trent.

Archbi-
shop of Za-
ra's Speech

Du Ferri-
er's Speech

The History of the Council of Trent. was found by the Holy Priest *Hilkiah*, who thereby restored the Ancient Usages, and caused the Commandments of God to be once more vigorously observed. Thus the brave Soldiers of *Nebemiah*, of whom *St. John Chrysostom* gives so great a Character, rebuilt the Walls of *Jerusalem*, holding a Sword in one Hand, and a Trowel in another. This Gentlemen, is what you ought to do; otherwise it will be to no Purpose for you to ask us hereafter, Whether *France* enjoys a profound Peace? For then we shall answer you, as *Jehu* did to King *Jehoram*, *What Peace, so long as——so many?* You know the rest. Thus, unless you labour after Reformation, we shall recur in vain to the Alliance of His Catholick Majesty; we shall implore the Assistance of the Pope, of the Most Serene Republick of *Venice*, of the Dukes of *Lorraine*, *Savoy* and *Tuscany*, in vain: All these Assistances, believe me, will be to very little Purpose, if you do not set your selves about Reforming the Church. That Quietness which some of you now seem to enjoy, will be quickly disturbed; and, what is worse, you will be answerable for the Ruine of those that will perish, tho' it is by their own Fault; and God will with Justice demand of you an Account of their Lives. But before we enter into the Particulars of what we shall, according to our Instructions, say in due Time and Place, we beg of you, Gentlemen, whose Piety, Religion and Charity, are known to us, not only upon the Account of Hearsays, but because we have been Eye-witnesses, that you will finish, as soon as possible, the Things upon which you have begun to deliberate, that you may go to Things at this Time more important; and so close this Holy Council to the Glory of God Almighty, and of his Son Jesus Christ. This Discourse displeased the Fathers of the Council as much as *Pibrac's* did, that Day that the *French* Ambassadors were received in the Council; but their Fear of the *French* made them say nothing.

Bishop of Leria's Opinion concerning the Institution of Bishops. Next Day, *Nov. 24.* there was a Congregation, in which the Bishop of *Leria* made a very handsome Recapitulation of all that had been said about the Institution of Bishops, that the Cardinal of *Lorraine* might know the Reasons which the *Spaniards* went upon: He added, that nothing was more favourable to the *Lutherans*, than to suppose it to be of Humane Right: That we approved of the Innovations which they had introduced, if we substituted Ministers and Doctors to govern the Church in the room of Bishops instituted by Jesus Christ: That *St. Gregory's* Letter to *John*, Patriarch of *Constantinople*, who took the Title of Universal Bishop, and to Others against the Patriarch, plainly shew, that we cannot say the Institution of the Papacy comes from Jesus Christ, unless we say that of Episcopacy does so too.

Difficulties concerning the Time of the Session. The Session being to be held upon the 26th. Cardinal *Seripandus* proposed a Prorogation, because the Decrees which were to be publish'd were not yet ready: And he complain'd of the Length of Mens Speeches, which were the Occasion that the precise Day, when the Session was to be held, could not be determin'd; so that it must of Necessity be put off to an indefinite Time. He added, that when several Fathers were desirous to speak of Abuses, they did not perceive that they committed a very great one themselves, by losing so much Time in useless Discourses; and that the Council could never be ended with Edification, if that were not corrected. The Cardinal of *Lorraine* seconded him, and exhorted the Fathers to lay aside unseasonable Questions, and to finish what they had begun out of hand, that they might treat of more necessary Matters. Many Bishops insisted upon their determining the Day of the Session; but others maintained, that that was impossible, because they could not tell in how long Time they could finish what they had to do: And so it was resolved to fix the Day within a Week.

VOL. III.

The History of the Council of Trent. In the Congregation of *Dec. 1.* *Melchior Avoismediano* Bishop of *Guadix*, speaking of that Passage of the Canon in which it is said, *That Bishops called by the Pope are true and lawful*; said, that Expression did not seem to him to be just; since some Bishops were neither called nor confirmed by the Pope, who yet were true and lawful Prelates; witness the four Suffragans of *Saltzburg*, *Passaw*, *Brixen*, *Freisingen*, and *Trent*, who are ordained by that Archbishop, without any Confirmation from the Pope. But Cardinal *Simoneta* interrupting him, said, that *Saltzburg*, and some other Primates, had that Privilege from the Pope. Thereupon *Thomas Casello*, Bishop of *Cava*, and the Patriarch of *Venice*, cryed out, that he ought to be expel'd for a Schismatick: And *Giles Falcetta*, Bishop of *Caorle* in *Friuli*, and others, cryed out, *Anathema, Anathema; let him be burnt, he is an Heretick.* This raised a mighty Murmuring among the Prelates, who began to make a Noise, and knock their Feet: some declaring for the Bishop, and some condemning him. This Tumult was with Difficulty appeased by the Legates, who made him go on with his Speech. When the Congregation was over, the Cardinal of *Lorraine*, who had dissembled his Uneasiness, said, before several Bishops, that the Bishop of *Guadix* said nothing that was amiss: That had that Prelate been a *Frenchman*, he would have appealed in his behalf to a freer Council: That if they were not allow'd the Liberty of Speech, the *French* would certainly retire and hold a National Council in *France*. Afterwards it was seen so plainly that the Bishop of *Guadix* had not spoken amiss, that the Canon was corrected, and these Words put in, *Episcopos qui Autoritate Pontificis assumuntur*, instead of *Vocatos, a Pontifice Romano*, which the Bishop of *Guadix* had found Fault with.

The Day when the Day of the Session was to be determined being come, the Cardinal of *Mantua* proposed to defer it to *Dec. 17.* adding, That if in that Time the Decrees of Reformation, concerning the Matters proposed, were not ready, they should be reserved for the next Session. The Cardinal of *Lorraine* agreed to that Day; and so did the Archbishop of *Prague*, and the Bishop of *Five Churches*. Then the Cardinal of *Mantua* complained of the Noise which was made the Day before; declaring, That if the Prelates did not, for the future, speak with the Respect which was due to the Legates, who represented the Pope; and to the Cardinals, and Ambassadors of Princes, who represented their Masters; and in a Way agreeable to their own Characters, his Colleagues and he would go out of the Congregations, that they might not be Witnesses of so great Disorders. The Cardinal of *Lorraine* commended the Wisdom of the Cardinal of *Mantua*, and said it was not decent for the Legates to withdraw upon every Occasion; but that Justice required that Disturbers should be punished.

James de Noguera, Bishop of *Alisa* gave his Opinion next; and said, that they could not speak of the Institution of Bishops upon a surer Foundation, than by sticking to the Words of *St. Paul*: For, said he, as it is true, that Jesus Christ governed the Church with an absolute Empire, whilst he lived upon Earth; so it is an egregious Mistake to say, as some have affirmed in this Place (speaking of *F. Lainez*) that when he ascended into Heaven, he left the same Government with his Vicar; since Jesus Christ exercises it still in Person more than ever, Witness what he said to his Apostles before his Ascension: *And lo! I am with you always to the End of the World*: So that by the Operation of the Holy Ghost, there cometh to us now from Jesus Christ, as our Head, not only an inward Influence of Graces, but also an outward Assistance, which though it is not visible to our Eyes, yet is profitable for the Salvation of the Faithful, and to repel their Temptations: That Jesus Christ has made some Apostles,

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others

others Pastors, others Doctors ; to strengthen the Faithful against Errors, and to conduct them to the Unity of Faith, and to the Knowledge of God : That he has given his Ministers Gifts necessary for the Exercise of their Functions ; that is to say, a Power of Jurisdiction, which is not equal in all, but which, be it great, or be it little, is given them immediately by Jesus Christ : That nothing is more contrary to St. Paul, than to say that it is given to one alone, who communicates it to others as he has a Mind : That in truth it is not equal in all ; but that God, to preserve Unity in the Church, as St. Cyprian says, was willing that it should be Supreme in St. Peter and his Successors, and yet not so absolute, as that Will should be in the Place of Reason ; so that it cannot extend to abolish the Laws or Canons made by the Church for the Good of its Government. When this Bishop would have gone on, and quoted the Canons produced by Gratian, in which the ancient Popes confest themselves to be subject to the Decrees of the Fathers, and the Constitutions of their Predecessors, the Cardinal of Warmia interrupted him, saying, If they intended to speak of the Superiority of Bishops, it would be necessary likewise to speak of the Superiority of the Pope. Then the Archbishop of Granada stood up, and said, Since others had spoken too much already, the Bishop of Alisa might very well speak in his Turn. The Bishop of Cava made answer, That others indeed had spoken ; but it was not in such a manner. Cardinal Simoneta, who had perceived already that the Bishops that sat near him began to murmur, made a Sign to the Bishop of Alisa to go on. But when that Bishop continued to quote the Canons, the Cardinal of Warmia interrupted him again, but without directing his Speech to him, remonstrating that the Hereticks pretended to prove, that Bishops chosen by the Pope, are not lawful ones, and that this was the Opinion which they ought to condemn : That Catholicks and Hereticks did not dispute about the Institution of Bishops ; and consequently that the Question, whether they are *Jure Divino* or no ? did not belong to the Council, which was called only to condemn Heresies : That the Fathers ought to abstain from saying any thing which might cause Scandal, and consequently avoid these Questions. The Bishop of Alisa would have replied ; but he was commanded to be silent. Antonio Mario Salviati, Bishop of St. Papoul, a young Man much esteemed for his good Breeding and his Learning, spake next ; and was a Means that that Congregation broke up peaceably, by saying several Things which served to reconcile their Opinions, and much more their Minds.

In the Congregation of December 4. the Cardinal of Lorrain gave his Opinion upon the same Subject, and proved at large, That the Church receives its Jurisdiction immediately from God, by Passages out of St. Augustin, who says, That when the Keys were given to St. Peter, it was not to one single Person, but to Unity ; and that this Apostle represented the Universal Church, when Jesus Christ promised him the Keys : That if he had not represented the Church, Jesus Christ would not have given them to him. Then he said, That Bishops receive immediately from God that Part of Jurisdiction which is joined to the Episcopal Order : And when he came to declare in what it consists, he specified, among other Things, the Power of Excommunication ; and made an ample Exposition of a Passage in St. Matthew, wherein Jesus Christ prescribes the Manner of the fraternal and judiciary Correction of the Church, which commands us to throw out the Disobedient. Then he went on to the Arguments which have been raised against his Opinion, which he drew from the Words of Jesus Christ to St. Peter, and the Explication which

Pope S. Leo makes in several Places. He produced several Examples of Bishops, who owned that they received all their Jurisdiction from the holy See ; and spake with so much Eloquence and Artifice, that no body could tell what he meant. He proved that Councils receive their Authority immediately from God, by these Words of our Saviour : *Where-soever there are two or three Persons gathered together in my Name, I am in the midst of them* ; by the Testimony of the Apostolical Council, which attributes all its Deliberations to the Holy Ghost ; by the Stile of Councils, which speak of themselves as assembled in the Name of the Holy Ghost : Lastly, by the Council of Constance, which declares expressly, That it received its Authority immediately from God. But then he added, That Councils, in order hereunto, must be united under one Head ; and that there was no better way to maintain the Unity of the Church, than to strengthen well the Authority of the Pope. Then he fell upon the Institution of Bishops ; and spake there with the same Ambiguity : Concluding, That that Question was very difficult to be decided, and that it was better to let it alone. After which he gave in a Minute, in which, instead of the Words *Jure Divino*, there was, *Instituted by Jesus Christ*.

The French Bishops who spake after him, used no Ambiguity, and openly maintained, That the Authority of Bishops is of Divine Right. They here-in appearing to be of the same Opinion with the Spanish Bishops, this gave occasion to some Italian Bishops to speak very undecently of the Agreement between the French and Spaniards in this particular. (d) The Cardinal of Lorrain complained of it to the Legates, as also of their sending the Minute which he had put into their Hands to the Pope, with marginal Notes of some Canonists, after themselves had approved of it, when he read it to them, before it was proposed in the Congregation.

The French Bishops, who were discontented at the Cardinal of Lorrain's not speaking with sufficient Clearness in the last Congregation, resolved among themselves, that he should not be at the next Congregation, which was to be held upon the seventh Instant, or else that they that should speak, should declare their Opinions freely ; and if any one went about to interrupt them, the Ambassadors should protest against it. The Sieur de Lansac, who was at this Consultation, said to Anthony le Cirier, Bishop of Avranches, before some Italian Bishops, That he need not scruple speaking freely ; and that he would assure him of his Protection. What Monsieur de Lansac said to the Bishop of Avranches, came to the Legates Ears ; so the French were heard with abundance of Patience, though they not only said that the Institution and Jurisdiction of Bishops were as much of Divine Right as the Popes was, but also that the Papal Authority is subject to the Canons ; urging with Commendation, the Stile of the Parliaments of France, which declares Popes Bulls to be abusive, and forbids their Execution, when they contain any thing contrary to the Canons received in France.

About this Time, Maximilian the Emperor's Son, was chosen King of the Romans, at a Diet held at Francfort ; and that Day on which he was to be crowned, some Protestant Electors assisted at Mass till the Gospel was over. The Elector Palatine withdrew when Mass began : The Electors of Saxony and Brandenburg staid till the Hallelujah was sung. After the Ceremony, the Emperor began to press some of the Protestants to submit to the Council of Trent : But they, that they might not be prevented, presented him the Answer which they had promised his Ambassadors twenty Months before in the Diet of Naumburg : That Paper contained the Reasons for which they did appeal formerly, and do still appeal

[(d) Father Paul sets down the scurrilous Saying which our Author here alludes to ; *Dalla scabie Spagnuola siamo caduti nel mal*

Francesco, i. e. *We are fallen out of the Spanish Itch, into the French Pox*. F. Paul. lib. del Conc. Pag. 623.]

to a free Council, and ten Conditions, upon which they consented to go to a new general Council; which were, I. That it should be held in Germany. II. That it should not be called by the Pope. III. That he should not preside in it, but be only a Member, and consequently subject to the Decrees which it should make. IV. That the Bishops and other Prelates should be absolved from their Oath to the Pope, that so they might give their Opinions freely. V. That the holy Scriptures should be the Judge in the Council, and not any human Authority. VI. That the Divines and Princes of the Confession of Augsburg, who should send to the Council, should have both a consultive and a deliberative Voice (e), and that they should have a safe Conduct not only for their Persons, but also for the Exercise of their Religion. VII. That Resolutions should not be taken by Plurality of Voices, as in secular Causes, but by the Goodness of Opinions; that is to say, according as they shall be conformable to the Word of God. VIII. That the Acts of the Council of Trent shall be made void, that being but a partial Assembly, held but by one side, and managed in a Manner different from what had been promised. IX. That if the new Council cannot put an end to the Differences concerning Religion, the Articles of Passaw shall remain inviolable, and the Agreement at Augsburg in 1555 in force; so that all Men shall be obliged to observe them. X. That sufficient Security shall be given upon all these Demands.

When the Emperor had read this Memorial, he promised to contribute all he could to an Union, and to cause a Council to be held, to which they could not justly refuse to go; provided they would on their parts quit such Passions as were contrary to Christian Peace. He offer'd likewise to go in Person to Trent: This he did the more willingly, because he designed to go to the Diet at Inspruck, which being but four small Days Journey from Trent, he could quickly do all that would be necessary.

In the mean time, whilst the Legates waited for a Decision from Rome, upon the Articles concerning the Institution and Residence of Bishops, they communicated to the Ambassadors some Chapters about Reformation, to be published concerning the Abuses which were committed in the Sacrament of Order. The Bishops and Ambassadors of France met at the Cardinal of Lorrain's to examine them; and named four Prelates of their own, to see if there was nothing prejudicial to the Rights of the Gallican Church; and if any thing could be added of Use for that Kingdom. Du Ferrier also was order'd to make an Extract of all the Reformations proposed at Trent, under Pope Paul III. Julius III. and Pope Pius IV. and also of those of the Assembly at Poissy; and to add to it all the Points contained in the King's Instructions.

But when the Imperialists saw that none of the Points which they had proposed were mentioned, they assembled all the Ambassadors, to whom the Archbishop of Prague remonstrated how much time the Council had lost with doing nothing; how often the Legates had promised that they would labour after Reformation; and yet that they were amused with Questions of pure Speculation, or in the Correction of some slight Abuses: That it was time for them to attend to Things of Importance, and their pressing Necessities: That if they joined all together, to demand the Execution of so many Promises as had been made them by the Pope and his Legates, they might hope that he would content them. To this they all consented; but when they came to Particulars, their Opinions were so different, that they could agree upon nothing, but to

demand Reformation in general. When the French Ambassadors saw that they could not agree about the Points of Reformation, which they were to desire, they set about drawing up of Articles pursuant to their Instructions.

The Pope, to whom the Legates sent the Decision of the Articles of Institution and Residence of Bishops, held several Congregations to find out some Expedient. At last when they had examined the Matter long, the Pope sent word to the Legates, that it was a false and an erroneous Opinion, to say absolutely, that the Institution of Bishops was of divine Right; because the sole Power of Order comes from Jesus Christ, and that of Jurisdiction is derived from the Pope; so that one cannot say it is given by Jesus Christ, but only so far as the Pope has all his Authority from him, and that all that the Pope does, is immediately done by Jesus Christ himself. He commanded them therefore, wholly to leave out the Words *Jure divino*, and to use this Form: 'That Jesus Christ appointed that Bishops should be made by the Pope, and should receive from him such Authority as he should think proper to give them for the Service of the Church; and that the Pope always retains an absolute Power of restraining or extending what he has given them, according to his own good Pleasure. Upon the Article concerning Residence, he sent word, that since it is manifest that the Pope has an Authority of dispensing, he commanded, that for the greater Security, there should be an Exception for him in the Decree, in which he was by no means for having the Clause of *divine Right* inserted. In the same Letter, he sent them a confused Leave to defer the Session, but not for above fifteen Days; and then not to hold it till Business was ready, that there might be no occasion for cavilling.

Dec. 30. 1562. there was a Congregation, in which it was resolved to stay 15 Days longer, before they determin'd the Day of the Session.

In the Beginning of the Year 1563. the French Ambassadors presented to the Legates the Articles of Reformation, which they had drawn up. When the Legates had examin'd them, they resolved to send them to the Pope; and they sent them by the Bishop of Viterbo. These Articles were in number 34. and contained, I. That no Man should be ordained Priest till he was of ripe Age, and had a good Character from the People, grounded upon his former Life. II. That Distances between taking Orders should be observed. That no Man should be ordained without a Title to an Office or a Benefice, as was practised in the time of the Council of Chalcedon. IV. That Deacons and other Clerks should be restored to their ancient Functions, that so Orders may not pass for empty and bare ceremonial Titles. V. That no Man should meddle with any Functions, but what belong to his own Order. VI. That none be made Bishops, till they be of ripe Age, of good Manners, and capable to instruct, and do all their own Functions themselves. VII. That the same be observed in Curates (f) in proportion. VIII. That no Man be received as an Abbot or regular Prior, till he has his Degrees, and has taught the holy Scriptures in some famous University. IX. That Bishops preach upon all Festivals, and Sundays in Advent and Lent, and upon all Fast-days, either by themselves or their Delegates. X. That Curates do the same, provided they have Auditors. XI. That Learning and ancient Hospitality be restored in Abbies and regular Priors. XII. That Bishops, Abbots and Curates, and all other beneficed Persons, who cannot perform their Functions themselves, quit their Benefices,

[(e) That their Divines should give their Opinions as Popish Divines did at Trent, and the Princes with them decide as Bishops.

[(f) Curates here, are Parochi, i.e. Parish-Priests.]

or take Co-adjutors. XIII. That what the Emperor proposed to the Council concerning Catechizing, be put in Execution. XIV. That Plurality of Benefices be taken away, without minding the Distinction of compatible and incompatible, which was unknown to all Antiquity, and which causes nothing but Disorder in the Church; and that secular Benefices be given to Seculars, and regular ones to Regulars. XV. That whoever has several Benefices, shall choose one, or incur the Penalties appointed by the Canons. XVI. That in order to purge the Ecclesiastical Order from all Stains of Avarice, Priests shall exact nothing for administering the Sacraments; and that Care be taken that every Curate may have a Revenue sufficient to maintain two Clerks, and to exercise Hospitality: That Bishops provide for it by Union of Benefices, or by Assignments of Tithes; and in their Default, that Princes do it by assessing the Parishioners. XVII. That in Parochial Masses, the Gospel be explained to the People intelligibly, and in a Manner suitable to their Capacities: That in Processions, Prayers be sung in the vulgar Tongue; as also all Prayers after Mass, and at other Hours of the Day; and that the People be permitted to sing spiritual Songs, and the Psalms of DAVID, in their own Language, after they have been examined by the Bishop. XVIII. That the ancient Decree of Leo and Galasius, concerning the Communion under both Kinds be revived. XIX. That the Efficacy of the Sacraments be explained in French before they are administered, that so the ignorant may know what they receive. XX. That Benefices be not collated to by great Vicars, but by Bishops themselves, within six Months, according to the ancient Canons; otherwise that the Collation may lapse to the immediate Superior, and by Degrees to the Pope; and that Benefices be not given to Strangers or unworthy Men. XXI. That *Gratia Expectativa's*, *Regresses*, *Resignations*, *Confidences*, (g) and Commendams of Benefices be abolished in the Church as contrary to the Canons. XXII. That Resignations *in favorem* be banished by the Court of Rome, according to the Canons which forbid a Man to choose his Successor. XXIII. That simple Priories be re-united to Benefices with Cure of Souls, from which they have been dismembered. XXIV. That the Bishop, by the Advice of his Chapter, shall impose some spiritual Charge, or re-unite to the neighbouring Parishes, such Benefices as do not oblige to Preaching, or the Administration of the Sacraments; since no Benefice can or ought to be without an Office. XXV. That all Pensions be abolish'd, that so the Revenues of the Church may be employed towards the Sustainance of the Pastors and the Poor. XXVI. That Jurisdiction be restored to the Bishops, except over Convents, Heads of Orders, and other Monasteries which depend upon them, and over those which hold of general Chapters, which are exempted by a just Title, though they are still liable to be corrected by the Bishops. XXVII. That Bishops do no Business of Importance, without the Advice of their Chapters: That Canons reside continually in their Cathedrals, be good Men, of good Manners, and at least twenty five Years old; for since the Laws do not allow Men to dispose of their Estates before that Age, Men ought not to be appointed before that Time to be Counsellors to Bishops. XXVIII. That Degrees of Kindred, even spiritual, be observed in Marriages, without any Dispensation, unless it be for Kings and sovereign Princes, for the publick Good. XXIX. That since Ima-

ges have caused a great deal of Trouble, the Council should give order that Men be taught what they ought to believe, and that the Superstitions which may have crept into the Worship of them, be removed: That the same be done as to Indulgences, Pilgrimages, Relicks of Saints, and Confraternities. XXX. That the ancient publick Penances for publick Sins be restored; as also publick Fastings, and other Exercises of Sorrow and Lamentation, to appease the Wrath of God. XXXI. That Excommunication be denounced only for great Sins, and only in case the Sinner persist after a second or third Monition. XXXII. That in order to abridge or rather quite cut off those Processes, by which all Ecclesiastical Order is disfigured, the new Distinction of *Petitory* and *Possessory* be taken away in beneficiary Matters: and that Bishops be commanded to give them, not to those who ask for them, but to those who avoid them, and thereby become worthy of them: That those be thought to deserve them, who after they have taken their Degrees, have been employed in Preaching, with the Consent of the Bishops, and the Approbation of the People. XXXIII. That in case of Contests for a Benefice, the Bishop shall name Sequestrators, who shall give no Account of their Administration to him that shall remain in Possession of the Benefice; the Revenue belonging only to him that does the Office; and that the Litigants shall choose Ecclesiasticks for their Arbitrators, and in their Defaults the Bishop shall name them; and that these Arbitrators shall end the Suit without Appeal, within six Months. XXXIV. That Diocesan Synods shall meet at least once a Year, provincial ones every three Years, general ones every ten Years, when there is no Hindrance.

When the Pope first read these Articles, he said, the French it seems have a mind to take away the Datary, the Rota, the Signatures, and in a Word, all Apostolical Authority. But the Bishop of Viterbo told him, from the Cardinal of Lorrain, that Princes demanded many things to obtain what they had the most Mind to, namely, the Communion of the Cup, the Use of the vulgar Tongue in the Offices, and the Marriage of Priests; Things which signified little to the Holy See, and by which his Holiness might satisfy them, if he would grant them. He added, that he knew several of these Articles did not please even the Bishops of France, and that they would put a Stop to them themselves. Hereupon the Pope was pacified; and having consulted about what he had to do, he resolved to write to the Cardinal of Ferrara his Legate in France, to pay the King 40000 Crowns, without any Condition, and to declare, That the Articles proposed by his Ambassadors at Trent would be very useful towards the Reformation of the Church, and that he wished there were Decrees formed upon them: But that if they were all put in Execution, there were some which would lessen the Royal Authority, and take away from his Majesty his Nomination to Abbacies, which was one of the best ways he had to reward his faithful Servants: That anciently Kings had often desired Popes to lessen the Greatness of Bishops, who, when they were too powerful, became refractory, and opposed the Authority of their Sovereigns: That the Demands which his Ambassadors made, open'd a Way to Bishops to get a great Authority, which his Predecessors excluded them from by good Regulations: That as for the Pope, they could not take away his Power, which he received from Jesus Christ, who made St. Peter and his Suc-

[(g) *Gratia Expectativa's*, are Provisions made at Rome, to succeed into any Benefice whilst the Incumbent is alive, and which cannot take place till he is dead. *Regresses* are private Agreements between the Resigner and the Resignee, approved of by the Pope, by which the Resigner is to re-enter his Benefice at such a Time, or *ad libitum*. *Confidences* were Trusts,

by which a Man might resign his Benefice to another, who was thereby possessor of the Title, whilst the Resigner was to enjoy the Profits. One plainly sees what infinite Corruptions these Practices opened a Way to. The former Volume gives large Accounts of the loud Complaints which the Germans made against these Abuses in the Beginning of the Reformation.]

cessors, Pastors of the universal Church, and Administrators of all the Goods of the Church: That if they suppress Pensions, they took away from him the Power of giving Alms, which is one of the principal Obligations that Popes have to fulfil in *Christianity*: That the Power of collating to any Benefices was given to Bishops as the Ordinaries, out of pure Favour, but then it was not just to extend that Right too far: That this would prejudice that universal ordinary Power which the Pope has every where: That as Tithes are due to the Church by Divine Right, so all Churches owe the sovereign Priest a Tenth of those Tithes, which was turned into Annats for Conveniency: That if they were burthensome to *France*, he would willingly agree to a Composition, provided the Holy See still kept its Right; but then this could be transacted only with himself, as he had told them several Times. Lastly, he order'd the Legate to pray the King, after he had laid these Reasons before him, to send other Orders to his Ambassadors. The Pope wrote to *Trent* at the same Time, to bid them defer, as long as they could, the examining the Articles proposed by the *French* Ambassadors, because he believ'd that the Article concerning Residence, and that of the Reformation of Abuses in the Ecclesiastical Order, would employ the Fathers several Days: That if the Legates found themselves obliged to propose these Articles, they ought to begin with the least dangerous ones, namely, with those which concern Manners and Doctrine, leaving those of Ceremonies and Benefices to another Time; and that if there was a Necessity of touching upon them, they should first agree with the Prelates that were their Friends, upon what Objections could be made against them, before they suffer'd them to be debated, and then wait for his Determination. He sent them also a Draught of the Decrees which he had drawn up, concerning the Institution and the Residence of Bishops.

Decrees concerning the Institution and Residence of Bishops.

The Legates proposed them in the Congregations which they held about the latter End of *January*. The Patriarchs and the most ancient Archbishops approved of them without Difficulty: But the *Spanish* and *French* Bishops started Abundance of Objections: First, upon these Words, *That Bishops hold in the Church the principal Place, but dependent upon the Pope*. The *Spaniards* thought it was ambiguous; and said it ought to be express'd more clearly. At last it was agreed to say, *the principal Place after the Pope, but not dependent upon the Pope*. Some disliked these Words, *Called by the Pope to bear a Part of the Burthen*; and would have it said, *Appointed by Jesus Christ to bear a Part of the Charge*, according to *St. Cyrian*, who says, *That Episcopacy is one in all Bishops, and that each one has an undivided Part*. When they came to enquire, whether the Pope has a Power in all the Church or over all the Church, there arose a Dispute between the *Italians* and the *French*, which the Legates could no otherwise stop, but by offering them another Draught of this Clause, drawn up by the Cardinals of *Lorraine* and *Madruccio*; which when the Legates had shewn to their Canonists before they brought it upon the Board, and they had struck out these Words, *Bishops are obliged by a Divine Precept to watch in Person over their Flocks*, those two Cardinals complained. The Cardinal of *Lorraine* said, he intended to meddle no farther with any Business, but would barely give his Opinion: And Cardinal *Madruccio* scrupled not to say, There was another secret Council within the Council, which arrogated all the Authority to it self. The Legates, who were exceedingly perplexed, held no more Congregations; which gave occasion to the Cardinal of *Lorraine* to say, they sought to dissolve the Council; and of this he complained to all the Ambassadors, desiring them to write to their Masters, and to conjure them to ask the Pope to cause the Council to be continued; to put an End to the Cabals;

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and to leave the Fathers to their Liberty in giving their Opinions: Otherwise Leave would be given in *France* to every Man to live as he had a Mind, till there was a free Council; which that at *Trent* was not; since every thing was done there as the Legates pleased, who besides did nothing but what the Pope had a Mind to: That, for his Part, he would have Patience till next Session; but that if things went on no better afterwards, he would protest, and return into *France* with the Ambassadors and Bishops, and hold a national Council there, whither the *Germans* would come perhaps; which would be the more vexatious, because the Holy See might run a Hazard of not being owned. Much about the same time, the *French* Ministers at *Rome* made the same Complaints which the Cardinal of *Lorraine* had done at *Trent*; and also the same Threatnings of a national Council. But the Pope told them, that those Threatnings did not fright him: That he was not afraid of national Councils: That since the *French* Bishops were good Catholics, the *German* Protestants would never own a Council of theirs; adding, That that of *Trent* had all possible Liberty: That, for his Part, he had no Share in the Intrigues, or in any of the Actions of the *Italian* Bishops: That it all came from the *Ultramontans* endeavouring to tread the Pope's Authority under foot: That he had had already three very proper Seasons to have dissolved the Council, but he was for continuing it; hoping, that God would not forsake his Church, and that all Attempts made against it would rebound upon their Authors.

Martin Cromer, afterwards Coadjutor of *Warmia*, being come to *Trent*, to see his Friend Cardinal *Hofius*, the Legates suspected that the Emperor sent him, under that Pretence, to *Trent*, to learn the true Posture of the Affairs of the Council; and they thereupon fearing, that the Council might break in such a Manner as might turn to the Pope's Dishonour and their Shame, they sent a Paper to all the Ambassadors, containing the Difficulties they lay under in the present Condition of the Council; and desiring their Advice. The Answer the *French* gave in to this Writing was this: That whereas the Council was called to redress Abuses, some made use of it to encrease them: That they ought, in the first Place, to hinder those Cabals which were so openly managed: That when they were stop'd, that every Man might be at Liberty to give his Opinion, they would soon be unanimous: That the Pope is the Head of the Church, but he is not therefore above it: That he is to direct and govern the other Members, and not to rule over the whole Body, That the best Remedy would be to follow the Decrees of the Council of *Constance*; which, finding the Church in a Combustion, upon the account of some Opinions like those now in Agitation, brought it back to great Quietness: That one of the Causes of the Disagreement which appeared in the Council, proceeded from the Secretary, who, for want of setting Mens Opinions down faithfully, often made the contrary to the Sense of the Majority to pass; so that there ought to be another Secretary appointed that there might be always two to write. The Imperialists gave in much the same Answer; but they insisted longer upon their Demand of a second Secretary. The other Ministers used only general Terms; advising the Continuation of the Council, and the Re-union of Mens Minds.

The Arrival of the Bishop of *Aoste*, Ambassador from *Savoy*, gave them an Opportunity to begin their Congregations again: For there was a Necessity of having one to receive him; and so the Legates got the Bishop of *Sinigaglia* to desire the Cardinal of *Lorraine* to find some Way to content the *French* Bishops, that so they might get their Decrees, concerning the Institution and Residence of Bishops, to pass. The Bishop of *Sinigaglia* therefore went to wait upon the Cardinal of *Lorraine*, and represented

Consultation of Legates, concerning Ways and Means of continuing the Council.

Arrival of the Ambassador from Savoy.

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presented to him, That several Councils used these Words, *Universalem Ecclesiam*, when they spake of the Pope's Authority over the Church: And that St. Bernard, upon whose Authority he laid so great a Stress, said of Bishops, That they are *In partem Sollicitudinis assumpti*. The Cardinal of Lorrain answered in these Words: 'Would you know the principal Cause of the Stop of the Session? It is because in the Doctrine and Canons concerning the Sacrament of Order, there is a Canon to establish the Authority of our holy Father the Pope; in which are these Words, *Habens plenam potestatem pascendi, regendi, & gubernandi universalem Ecclesiam*: Which are Words that our Country-men and many other good Men cannot approve; because our Doctors say, That thereby it may be understood that the Pope is above a Council; which is a Question we will avoid as much as we can, that so we may hinder the determining any thing to the Prejudice of the Opinion of our Fathers, of the Gallican Church, and of the Definition of the Councils of *Constance* and *Basil*. When that is done, our Doctors will willingly allow you to give the Pope what Titles you please, so far as to say, *Vicarium Christi, habentem in Ecclesia universali supremam Potestatem*.' When this Answer was carried to the Legates by the Bishop of *Sinigaglia*, before several *Italian* Bishops, they believed it was impossible to bring over the *French* to what they desired.

Jan. 31. the Ambassador of *Savoy* was received in a general Congregation. He set forth, in a short Speech, the Danger the Dominions of his Prince were in, by reason of the Neighbourhood of Hereticks, and the great Expence he was forced to be at, to preserve the Peace of his Subjects. Then he exhorted the Fathers to put an end to the Council speedily, and to take Care before-hand how they should get their Decrees received by those who were separated from the Unity of the Church. An Answer was made him, in which his Piety and his Prudence were commended; and which ended with Demonstrations of Joy for his coming.

In the Congregation of *Feb. 3.* the Cardinal of *Mantua* proposed to put off the Session till after *Easter*; and in the mean while to treat of the Sacrament of Marriage, and of the Reformation of the Abuses committed in holy Orders: But the *French* and *Spaniards* did almost universally demand that a shorter Time should be set, and that Matters relating to Order, and the Reformation which belong'd to it, should be dispatched before they treated of Marriage. Some *Italians* were also of the same opinion: Others were for holding a Session to decide the Points determined already, as also the Decree of Residence which was drawn up by the Cardinals of *Lorrain* and *Madruccio*. Some said, It was a shameful Thing for the Fathers to put off the Council from Time to Time; That therefore they ought to hold a Session, and to decide Questions by Plurality of Voices. After a long Debate, it was resolved to Prorogue it to the 22^d. of *April*. The Cardinal of *Lorrain* pretended then to yield, tho' he was very glad of this Delay; because he thought there might happen a Vacancy in the holy See, that he might have Time to treat with the Emperor, to know the Intentions of the King of *Spain*; and lastly, that he might see how the Affairs of *France* would go, after which he could take his Measures.

Next Day the *French* Ambassadors laboured vehemently with the Legates, to get them to set seriously about Reformation, and that their Demands might be proposed. The Legates made Answer, That the Council ought to receive Laws from no Man: That when the Princes proposed Things reasonable, it was but just that they should have Regard to them: That if any of their Demands related to ecclesiastical Order, they would propose them with it, and the rest in their Time. The Ambassa-

dors replied, That they expected a positive and direct Answer; otherwise they would protest. Then the Legates desired them to give them three Days; during which Time, they engaged the Cardinal of *Lorrain* to persuade the Ambassadors to wait for an Answer from *Rome*, upon the thirty four Articles which they sent thither.

Feb. 5. 1563. the eight following Articles were proposed, concerning Marriage, to be examined by the Divines: I. That Marriage is not a Sacrament instituted by Jesus Christ, but a humane Law introduced into the Church; and that no Grace is promised to it. II. That Fathers and Mothers can disannul clandestine Marriages, as not being true Marriages; and that the Church ought to look upon them as null. III. That it is lawful to take a second Wife, whilst the first lives that is put away because of Fornication; and that it is an Error to make a Divorce upon any other Cause. IV. That it is lawful for Christians to have several Wives; and that to forbid marrying at certain Times, is a tyrannical Superstition which proceeds from Paganism. V. That Marriage ought to be preferred to Chastity; and that God gives more Graces to married Men than to others. VI. That *Western* Priests may lawfully marry, notwithstanding the Law of the Church: That to say the contrary, is to condemn Marriage; and that all those who have not the Gift of Continence, ought to marry. VII. That the Degrees of Relation and Kindred, set down in the *xviiith*. of *Leviticus*, are to be observed; but neither more nor less. VIII. That Impotence and Ignorance, which intervened during the Contract, are the only Causes why a Marriage that is contracted ought to be dissolved: And that secular Princes are sole Judges of matrimonial Causes.

That these Articles might be the more easily dispatched, they were distributed by Classes; two to every Class. But there happening to be some Dispute, concerning Precedence, between the *French* and *Spaniards*, who should speak first; no better Way was found out, to make them agree, than to change the Order formerly made, and hitherto observed, by regulating their Rank according to the Seniority of their Degrees.

In the Congregation of *Feb. 9. Salmeron*, as Pope's Divine, spake first. Upon the first Article, concerning Marriage, he affirmed, That those ought to be condemned as Hereticks, who attributed to Fathers and Mothers a Power of annulling Marriages.

Nicholas Maillard, Dean of the Faculty of Divinity of *Paris*, was for condemning those who held Marriage to be of humane Institution; and maintained that clandestine Marriages were true and lawful, and that it was not in the Power of the Church to make them null.

Feb. 11. the *French* Ambassadors presented to the Council a Letter from his Most Christian Majesty, dated *Jan. 18.* in which he sent them Word, 'That tho' he did not question but the Cardinal of *Lorrain* had acquainted the Council with the Victory at *Dreux*, yet he was willing to divide his Joy with the Fathers of the Council: That *Christendom* having always experienc'd Councils to be necessary Remedies to its Evils, he pray'd them, for the Love of Jesus Christ, to make such a Reformation as might answer the Expectation which was conceived: That as so many brave Men had shed their Blood for the Cause of God, and he himself scrupled not to expose his Life for the Defence of the Church, of which he resolved to shew himself a worthy eldest Son; so the Fathers ought, on their Parts, to do what was their Duty.' When this Letter was read, *Du Ferrier* said, That the State of the Affairs of the King his Master being sufficiently known to them, both by what was now read, and by what they had understood from the Cardinal of *Lorrain* and the Bishop of *Metz*, he should abstain to speak of it; That he should only there-

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Articles proposed concerning Marriage.

Divines Opinions about the Articles concerning Marriage.

King of France's Letter to the Council.

Du Ferrier's Speech.

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therefore tell them, that the Victory at *Dreux* was so much the more miraculous, by how much their Enemies appeared invincible; that tho' they were overcome, yet by the Force of their Arms they pierced into the Bowels of *France*: That he spake to them as unto Men, without whom the Kingdom could not save even the Remains of the Wreck. He urged the Example of the *Israelitish* Army, which had been too weak, if the Hands of *Moses* lifted up to Heaven, and supported by *Aaron* and *Ur*, had not helped the Combatants: That his Master wanted neither Counsel, having the Queen his Mother to take care of his Kingdom; nor a brave Captain to command his Armies, having the Duke of *Guise*: But there was no other *Aaron*, no other *Ur*, but they, to support his Majesty's Hands: That without their Decrees the Enemies would never be reconciled; nor would the Catholics persevere in the Faith, which the Protestants had changed within these 50 Years: That the Catholics resembled those *Samaritans* who did not believe what the Woman told them of Jesus Christ, till after they had seen him themselves: That the King his Master, considering that some Christians studied the holy Scriptures, desired, that the Instructions of his Ambassadors might be agreeable to it; as the Fathers might judge, when they should see the Memorial which the Legates had in their Hands, and which his Majesty principally addressed to the Council: That what *France* demanded of them, was common to the whole catholic Church: That if any one should wonder at their omitting the most necessary Things in their Petition, he would tell them, that Men began with small Things to open a way to great ones, and to make the Executions of the Things which are proposed more easie: That they should consider, if they once separated without endeavouring after a Reformation, the Catholics would cry out, and the Protestants would say, that the Fathers at *Trent* did not want Knowledge, but Will: That they might indeed have made good Laws; but then, without touching them with the Ends of their Fingers, they would have left the Execution of them to Posterity. As for those (says he) that accuse us of being impious, they do not deserve an Answer from us; and for those that think our Demands too severe, they ought to remember what *Cicero* says, *That it is ridiculous to ask for Mediocrity in an excellent Thing*; as also the Threatning which the Holy Ghost makes against lukewarm People: Let them reflect upon the Good which that slight Reformation did, which was made in the Council of *Constance*; and that other, something more rigid, in the following Council, which he would not name for fear of displeasing them; upon the Good which the Councils of *Ferrara*, *Florence*, *Lateran*, and *Trent*, produced; and how many Nations have forsaken the Church since those Councils. Then directing his Speech to the *Italian* and *Spanish* Bishops, he told them, that they had more Interest in the Re-establishment of the Discipline of the Church, than the Bishop of *Rome*, Vicar of Jesus Christ, and Successor of *St. Peter*, who has the supream Authority in the Church of God; whereas it concerned their Life and Honour: But he would say no more to them, because he knew they were all inclined to do their Duty.

Council's Answer to the King of France's Letter.

In the Answer which the Council made the King, they extolled and congratulated his glorious Actions; and exhorted him, as if he had been present, to imitate the Virtues of his pious Ancestors, by turning all his Thoughts to the Defence of the holy See, and the Preservation of the true Faith; by lending an Ear to those who would give him good Advice, and by removing from him those who would tell him, that he ought to refer every thing to his own Interest, and would propose to him the Peace of this World, which would never be a solid Peace: That

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there was Reason to hope all this, by God's Assistance; the Goodness of his own Inclinations, the good Instructions of the Queen his Mother, and the wise Counsels of his Ministers: Lastly, that the Council will take all possible Care to make the necessary Regulations for the general Reformation of the Church, without omitting any thing which may be for the particular Advantage of the Crown of *France*, and the *Gallican* Church.

After this, the Cardinal of *Mantua* proposed, that, in order to a quicker Dispatch of Business, the Congregations of Divines might sit twice a day; and that Prelates might be named to propose Corrections of the Abuses which relate to Order. This was agreed to, and order'd immediately.

The *Italians* were offended at *du Ferrier's* Speech, particularly at his saying, *That his and his Partners Requests were directed to the Council*; which seemed to them to contradict the Right which the Legates had challenged to themselves, of solely proposing any thing to the Council. But what gave them much more Disturbance, was his saying, *That he would go on to much greater Things*: For they concluded from hence, that the *French* were meditating some terrible Undertaking: Besides, the Apostrophe to the *Italian* and *Spanish* Bishops seemed to them to be seditious.

Departure of the Cardinal of Lorraine for Inspruck.

Feb. 12. the Cardinal of *Lorraine* went away for *Inspruck*, with nine Bishops, and four of the ablest of the *French* Divines; having got the Legates to promise him, that they would not touch upon the Article of Priests. This he desired, because of a Commission which he had to obtain a Dispensation from the Council for the Cardinal of *Bourbon*, who had a mind to marry. This Departure of the Cardinal of *Lorraine*, gave great Uneasiness to the Fathers of the Council, as well as to the Court of *Rome*: For *Commendone*, who came at the same time from the Emperor's Court to *Trent*, told the Legates, that, as far as he could judge, either by what the Emperor or his Ministers said, as also by all their Steps, his Imperial Majesty seemed to him to be so prejudic'd, that he was afraid there would be some Disorder: That if he should tell what he thought, he believ'd the Emperor had some great Design of Reformation in his Head, and that he would most certainly be angry if they closed the Council; and that when the Nuncio *Delfino* spake to him of a Suspension or a Translation, His Imperial Majesty express'd to him an Uneasiness. He added, That it was believed in that Court, that his Catholic Majesty and the Emperor understood one another in the Business of the Council: And this seemed the more probable to him, because he knew that the *Spanish* Bishops complained to the Emperor of the Behaviour of the *Italians*, and communicated several Articles of Reformation to him; it not being probable that they durst have treated with him, if they had not known the Intentions of their own King: That when the Pope's Ministers complain'd to the Count *de Luna*, of the Liberties which the *Spanish* Bishops took, he answer'd, *What can you do to them, when they will tell you that they speak according to their Consciences?* That he did not question but the Emperor and the Cardinal of *Lorraine* concluded, in their Interview, to get their Demands proposed: That the Emperor had already caused his to be debated, with some other Matters which related to the Council; but what those Matters were, neither he nor the Nuncio *Delfino* could ever find out, what Pains soever they had taken to know them.

Frederick Stafilus, Confessor to the Queen of *Bohemia*, and the Bishop of *Five Churches*, presided at the Consultation which the Emperor order'd to be held upon the following Articles: I. *Whether a general Council, lawfully called, with Consent of Princes, can change the Order of managing Business establish'd by the Pope, and introduce a new one?* II. *Whether it is profitable for the Church, that the Council should handle*

and examine Things according to the Direction of the Pope or the Court of Rome, so that it neither can, nor ought to do otherwise? III. Whether, if the Pope should die, sitting the Council, the Election of another Pope does not belong to the Fathers of the Council of Trent? IV. Whether Ambassadors ought to have Votes when Things relating to the Publick Peace are treated of, tho' they can give no Opinions in Matters of Faith? V. Whether Princes can recall their Ambassadors and Bishops from the Council, without acquainting the Legates? VI. Whether the Pope can dissolve or suspend the Council, without the Consent of the Princes, particularly of the Emperor? VII. Whether it is convenient for Princes to interpose their Authority, that more necessary and more useful Things be treated of in Council? VIII. Whether Ambassadors can of themselves shew their Princes Orders? IX. Whether any Way could be found out, that Bishops sent by the Pope, or the Princes, should have the Liberty of telling their Minds in the Council? And, X. To hinder Frauds, Violences and Extortions, whilst they are gathering the Fathers Votes? XI. Whether any thing of Doctrine, or Ecclesiastical Reformation, can be treated of, without being first examin'd by understanding Men? XII. Whether it would be decent for the Emperor to assist in Person at the Council?

These Articles not being publish'd till after the Cardinal of Lorrain's Return to Trent, the Legates used all their Endeavours to get from the Divines and Prelates, whom that Cardinal carried with him to Inspruck, the Secret of the Affairs which he treated with the Emperor, with whom he was two Hours together whilst he was at Inspruck; and particularly what Resolutions they took upon those twelve Articles: But it was impossible for them to learn any thing; because the Cardinal of Lorrain had acquainted no one French Divine or Bishop with the Business.

Death of
Cardinal
of Mantua.

At this Time died the Cardinal of Mantua, who was but 58 Years old, after a few Days Sickneſs: He was generally lamented by all the Fathers of the Council, who had a very particular Esteem for him, because of his obliging and easie Carriage. When the Emperor heard of his Death, he formed a Design to sollicite the Pope to put the Cardinal of Lorrain in his Place, as a Man more favourable to the Princes than any of the other Cardinals. But the Pope was aware of the Emperor's Design; and therefore, to prevent Sollicitations, he called the Cardinals together in his Dressing-Room, as if he would go to Chappel as usual; and when he had put out all his Retinue, and shut the Doors, he created, without any other Ceremony, the Cardinals, John Morone and Bernardo Navagiero, Legate of the Councils, Cardinal de la Bourdaiziere, having found out the Pope's Intentions, contrived it so, that he met him as he came out of his Chamber, and told him, that since His Holiness was resolved to create new Legates, he could not choose a worthier Man than the Cardinal of Lorrain. The Pope, being angry that his Design had taken Air, answer'd him roughly, that since the Cardinal of Lorrain had offer'd himself at the Council as a Head of one of the contending Parties, he was resolved to send Neutral and Disinterested Men thither: Cardinal de la Bourdaiziere had a Mind to reply; but the Pope doubled his Pace, and went down hastily, that that Cardinal could not make him any Answer.

Morone
and Navagiero
made Legates.

Emperor's
Letters to
the Council

The Bishop of five Churches being returned from the Emperor's Court, presented to the Legates a Letter from His Imperial Majesty, and the Copy of another written to the Pope. That to the Legates set forth, 'That having written to the Pope concerning some Impediments to the Progress of the Council, which ought to be removed; he desired them to use their Endeavours, both in Person in the Council, and with their good Offices with the Pope, that the Service of God might be advanced, and the Peace of Christendom restored.

In his Letter to the Pope, he said, 'That having now made an End of some very Important Affairs with the Electors and other Princes of the Empire, he had nothing more at Heart than the contributing to the Advancement of the Affairs of the Council, as being the Protector of the Church: That for this Reason he was come to Inspruck, where he with Sorrow understood, that Things did not go as he had hoped, and as the Publick Good required: That if this were not remedied, he was afraid that the Conclusion of the Council would give those who were separated from the Church of Rome, an Occasion of laughing; and might make them yet more obstinate in their Errors: That there had not been a Session now of a very long Time: That whilst Princes applied themselves to reconcile contrary Parties, the Fathers amused themselves in Contests below them: Nay, that a Report had been spread, that the Pope intended to dissolve or suspend the Council, perhaps because of the ill Posture which he saw Affairs were in; but for his part, he believed nothing of it: That it had much better have never been held, than be left imperfect, to the Shame of the Pope, the Contempt of the Ecclesiastical Order, the Prejudice of the present Council, and of all other General Councils for the future, the Ruin of the Catholics that were still left; and lastly to the Scandal of the People, who would believe that the Council was dissolved, or suspended, only to hinder a Reformation: That as before the Pope called it, he had asked the Consent of him, and of other Kings, in imitation of his Predecessors, who believed that to be necessary for divers Considerations; so he could not dissolve or suspend it without his Consent: That he conjured him to reject that Council as pernicious, because that Rupture would draw after it National Councils, which are so odious to Popes, and so contrary to the Unity of the Church: That as Princes hindered them, only to preserve the Authority of the Holy See, they could not, in such case, refuse or defer to call them. Therefore he exhorted his Holiness to restore the Liberty of the Council, which was interrupted by three Things; namely, that Things were first consulted at Rome: That the Legates attributed to themselves a Right of proposing, which ought to be common to all the Fathers: And that some Prelates, who were concerned for the Greatness of Rome, carried on Cabals and Intrigues. That a Reformation of the Church being very necessary, and the World believing that Abuses began at Rome, it was absolutely behoveful, for the common Satisfaction, that this Reformation should be made at Trent, and not at Rome. Lastly, he prayed the Pope, that the Demands, presented by his Ambassadors and those of other Princes should be proposed in Council, whither he declared he would go in Person, conjuring the Pope to be willing to go thither also himself.

Pope's Answer to the Emperor.

This Letter angered the Pope exceedingly, who thought that the Emperor went beyond the Bounds of his Authority. He wrote him back Word, 'That he had called a Council, with the Consent of him, and of other Princes; though the Holy See; to which Jesus Christ left full Power over the Church, did not herein need the Consent of any other Power: That all the ancient Councils were called by the Authority of Popes, in which Princes concerned themselves no farther than to execute their Bulls: That he never thought of dissolving or suspending the Council: That on the contrary, he thought it was for the Service of God to bring it to an End: That the Consultations which were held at Rome did not hinder, but rather aided and favoured the Liberty of the Council: That there never were Councils held, to which the Popes, when absent, did not send Instructions, and where the Fathers did not receive them: That the Instructions

The History of the Council of Trent. Emperor's Letter to the Pope.

The History of the Council of Trent.

structions which *Celestine* sent to the Council of *Ephesus*, which was held against *Nestorius* and the *Pelagians*; those of *Leo* to the Council of *Chalcedon*, held against *Eutiches*; those of *Agatho* to the Council of *Constantinople*, held against the *Monothelites*; those of *Adrian I.* to the second Council of *Nice*, and of *Adrian II.* to the eighth Council of *Constantinople*, were still in Being. As for the Right of proposing, that the Popes who presided in Councils, not only proposed Matters *solely*, but even decided themselves without the Fathers giving any more than their Approbation; That in the Absence of the Pope, his Legates or other Deputies proposed in his Name: That in imitation of all these Councils, that of *Trent* resolved that the Legates should propose, to avoid the Confusion and Tumult which would arise, if Men might strive to out-do one another in moving Seditions or impertinent Questions: That no useful Thing was ever refused to be proposed: That the Cabals which were carried on against the Authority given by Jesus Christ to the Holy See, gave him great Disturbance: That all Fathers and Councils have called the Pope, Successor of *St. Peter*, Vicar of Jesus Christ, and Pastor of the Universal Church: That this way of speaking has been at all times in use in the Church, as the Emperor might see in the Citations mark'd in the Extract joined to this Letter: That after this, he was amazed that any Man should speak at *Trent* against this Truth. He added, that all the present Evils proceeded from the Legates suffering their Authority to be despised, by being too much concerned at what Evil Tongues might say against the Council, which by this Complaisance became licentious rather than free: That as for Reformation, he desired a rigorous one; and had always prest the Legates to take pains in it. As for his Court, it was known what Regulations he had made at the Expence of his own Revenues: That if there was anything still to be done, he should not neglect it: That the Fathers at *Trent*, for want of being well informed of the State of the Court of *Rome*, instead of reforming, would yet more disfigure it: That in the mean time, he would be willing to see likewise some Reformation in other Courts, which had as much need of it as his own; their Abuses being perhaps the Causes of all the Evil that was found fault with in the Church. As for the Demands of the Emperor and other Princes, he always intended they should be examined every one in its proper Place; because the Style of the Council having run, to treat of Matters of Faith, and the Reformation of Abuses that have been committed, together, it could not be alter'd without causing both Confusion and Disgrace: That when the Emperor had marked several Disorders which were visible in the Council, he forgot that from whence all the rest proceeded; namely, that those who ought to have received Law from the Council, were for giving it: That if they would have follow'd the Examples of the *Constantines* and *Theodosius's*, there would have been no Division amongst the Fathers; nor would their Reputation have been brought in Danger: That he desired nothing more than to go to the Council, to remedy that Disorderliness which overrun all there; but that his Age and great affairs would not allow it: And lastly, that he would take care to stop all Discourses of removing to any Place that he could go to, for fear of giving new Causes of Suspicion.

Consultation of the French, concerning the Pope's Answer.

Several Copies of this Letter, and of the Extract of Citations which he sent to the Emperor upon the Words *Universalem Ecclesiam*, having been dispersed by the Pope's Order; the Cardinal of *Lorraine* held several Congregations with the French Bishops and Divines, to examine and see if they were quoted faithfully, and taken in their true

Sense, that they might form, as they afterwards did, an Answer to the *Italians*. The Bishop of *five Churches* was likewise for calling together the *Spanish* Bishops, to learn their Opinions: But the Archbishop of *Granada* answer'd him in the Name of his Brethren, that the Emperor ought not to apply himself to them, who received the Council of *Florence*; but to the *French*, who owned the Council of *Basil*. Some *Spanish* Bishops also, who were offended that this Bishop had applied himself to them, were for acquainting the Pope with it, that they might take off the ill Impression which the Application of the Bishop of *five Churches* to them might make upon his Holiness's Mind: But the Archbishop of *Granada* opposed it, saying it was enough that the Pope might see by their Votes that they did not contradict him in that Point; and that they ought not to imitate the base Flattery of the *Italians*. Let the Pope, said he, give us what is our own; for we leave him more than his Share, and it is not just that instead of Bishops we should become his Vicars.

The History of the Council of Trent.

March 17, The Legates, to shew that the Council was not disabled from acting by the Cardinal of *Mantua's* Death, held a General Congregation; in which, a *French* Divine having found a way to pass from the Continnence of Priests to the Residence of Prelates, enlarged upon proving, by Authorities and Examples, that it was of Divine Right, and in answer to that Objection which was made, that if it was of Divine Right, it would not be commanded by so many Canons and Decrees, he made this Comparison, that the Law of God is the Foundation or Pillar of Residence, and the Canon Law is the Edifice, or Arch: That as when a Foundation fails, the whole Building falls, and the Arch shakes when the Pillar is taken away; so it is impossible to keep up Residence by the Canon Law alone; and that those who were for founding it upon the Canons, did in truth destroy it. He observed, that before there were Canons and Decrees, Residence was observed, because every Man thought he was obliged to it by Divine Right: But now, since some People have got it into their Heads, that this Obligation comes from the Ordinance of Men, tho' Laws and Threatnings of Punishment have been revived it was all one, the Disease has still encreased.

Congregation concerning Residence.

The same Day died Cardinal *Seripandus*, who was *LXX.* Years of Age. That Morning, when the *Viaticum* was brought him (b) he received it upon his Knees out of Bed; and then being laid down again, he made a Discourse in *Latin* full of Piety, before five Bishops, the Secretaries of the Embassies of *Venice* and *Florence*, and all his Domesticks. Some Hours before he died, hearing that some Prelates murmur'd as it he had discover'd some particular Notions in the Council concerning Justification and Original Sin; he immediately made a Confession of his Faith suitable to the Belief of the Church. Then he spake about Good Works, the Resurrection of the Dead, and the Affairs of the Council, the Care of which he recommended to the Legates and the Cardinal of *Lorraine*; and as he was going to propose the Method which he would have them observe, finding his Voice and his Breath to fail him, he said, God forbid him to go any farther; but that his Divine Majesty would speak himself in a proper Time and Place: And when he saw the Assembly burst out into Tears, he added also these Words, after which he gave up the Ghost; *Why weep ye as Men without Hope?*

Death of Cardinal Seripandus.

There was no Congregation upon the 18th. because of the Funeral of that Cardinal. But the *French* Ambassadors desired an Audience that Day of the Legates, to whom they loudly complained, that now for two Months together, they had been amused at *Trent* with fair Words, without ever coming to any Effects, though they had never ceased to represent the Desolations of *France*, the Dangers

Complaints of Ambassadors.

[(b) c. i. The Eucharist which is given to dying Men.]

which Christendom incurred during so many Troubles, and the Necessity there was of a good Reformation: That most of the Fathers and Divines rigidly opposed it: That they ought to consider how many good Men died before they could execute their good Designs for the publick Good; witness the Cardinals of *Mantua* and *Seripandus*: That since they had time still, they ought to do every thing for the Discharge of their Consciences. The Legates told them, they were sufficiently uneasy, that Things went on so slowly, but that the Death of the Cardinals of *Mantua* and *Seripandus* was the Cause of it; and that since they could not bear so great a Burthen themselves, they would stay for Cardinals *Morone* and *Navaggiero*, who would quickly be there. The *French* were satisfied with this Answer; and the rather, because the Imperialists desired them to proceed slowly, till the Success of the Negotiation of the Ambassadors of the Emperor and the King of *Spain*, at *Rome*, was known; who had jointly desired the Pope to be willing, that an universal Reformation of the Church, in Head and Members, might be made at *Trent*; and not at *Rome*; and that the Clause, *Proponentibus Legatis*, which took away from Ambassadors and Bishops the Liberty of asking for what they thought necessary, the one for their Churches, the other for their Masters, might be taken away. But these Ministers could by no means agree; for though *D'Avila*, the King of *Spain's* Ambassador, desired the same Things, yet he desired the Pope afterwards to get the Emperor to desist from his Demand of the Cup, and the Marriage of the Clergy; for which Reason, in a publick Audience which the Pope gave to the Ambassadors of the Emperor and the King of *Spain*, he told them that the *Proponentibus Legatis* should be so interpreted, that every Man might propose what he pleased; and that he had left a Power with the Legates, to resolve every thing, without writing to him: That he desired Reformation; which had been already effected, had it been left to him; but, since they would have it done at *Trent*, if it should not succeed, they could only blame the Fathers: That he desired an End, and not a Suspension of the Council: And lastly, That he would write to the Legates to that purpose. And in Truth, he did send to them, That since the *Proponentibus Legatis* was put in only to avoid Confusion, he was willing that every Father might propose what he had a mind, and that Resolutions might be taken by Plurality of Voices, without waiting for Orders from *Rome*: But many believ'd, that Letter was written only to deceive those that did not know the Court of *Rome*; and that Cardinal *Morone* had secret Instructions, teaching him how he should execute the Commissions which he should receive from thence.

The Pope told *D'Avila* in a particular Audience, That he opened the Council upon the Promise which the King of *Spain* gave him, to take it into his Protection, and to maintain the Authority of the holy See; but that he was very much mistaken: For the *Spanish* Bishops alone, being provoked at his granting a Subsidy out of their Churches, gave him more Trouble than all the rest: That he did not doubt his Catholick Majesty's Good-will; but that all the Mischief proceeded from the Ambassadors not having Vigour enough to keep them in: That it was just that the Council should be left at Liberty; but then he could not suffer Licentiousness, nor that the Council should be under the Yoak of Princes, who oppress Liberty at the same Time that they preach'd it up: That he did not know whether all those, who prest to leave the Council the Liberty of proposing, had well considered of the Evils which would happen, if Men might have Liberty to propose what they had a mind: That as there were some wise and prudent Men among them, so there might be some who were otherwise;

and that these People would be dangerous if Care were not taken: That he perhaps was the only Person whom this least concerned, since his Authority was founded upon God's Promise, so that he needed not give himself any Trouble; but that Princes had more to fear, because of the Evil which might happen to them: That if too much Liberty were given to the *Spanish* Bishops, his Catholick Majesty would be the first that would repent it: That as for Reformation, the Hindrances did not proceed from him: That he was willing to put off the Demands of the Cup, and the Marriage of Priests, to content the King of *Spain*: And concluded, That it depended now wholly upon his Catholick Majesty, to put a speedy and happy End to the Council; and that if he should ever see himself at Liberty, the King of *Spain* might expect from him all manner of Satisfaction.

March 20. the Divines having finished what they had to say concerning Marriage, the Legates consulted whether they ought to propose the Doctrine and Canons in the Congregations of the Bishops; but considering that the *French* and *Spaniards* would oppose it, and that there might arise greater Disputes than ever, they thought it proper to stay till the two new Legates were come; and the Cardinal of *Lorraine* took that Time to go to *Venice*, being desirous to shake off the Grief which the Death of his Brother the Duke of *Guise* caused him, who had been assassinated near *Orleans*, by *Paltrou de Merre*. And so the Affairs of the Council were suspended for some Time.

Upon *Easter-Eve*, Cardinal *Morone* made his Entry into *Trent*, clad in his Pontifical Habits, and conducted to the Canopy in the Cathedral Church, accompanied by the Legates, the Ambassadors of Princes, and all the Clergy. Upon *Easter-Day* he officiated. The Count *de Luna*, Ambassador of the King of *Spain*, made his Entry likewise with a numerous Train of Prelates, going between the Ambassadors of the Emperor and the King of *France*. He was immediately visited by the *French*, who told him, that they had Orders from the King their Master, and the Queen Regent, to communicate all Matters with him, and to second him in every Thing that might be for the Service of his Catholick Majesty.

April 13. there was a general Congregation to receive Cardinal *Morone*. After his Breve was read, he made a Speech; in which he represented, That Wars, Seditions and other Evils, would certainly cease, when once they had found out a way to appease the Wrath of God, which was justly provoked by the Sins of Men; and had restored the ancient Purity: That in order hereunto, the Pope, out of his Wisdom, had called a Council composed of so many Persons, eminent for Virtue and Learning: That the Cardinals of *Mantua* and *Seripandus* being dead, his Holiness had substituted him and Cardinal *Navagerius* in their Places: That he knowing his own Weakness, and the Greatness of the Charge, would willingly have been excused; but the necessity of obeying had overcome his Fear: That before he entered on it, he must wait upon the Emperor; but that he should be back again in a few Days, to treat with the Fathers, of what might be for the Service of God, the Advantage of the Church, and the Salvation of the People: That he brought two Things to the Council; one was a Testimony of the ardent Desire of the Pope, solidly to confirm the Doctrine of the Faith, to reform Manners, to provide for the Necessities of Princes, and to settle Peace and Union, even with the contrary Party, as far as may be done without prejudicing the Dignity of the Holy See: The other was, an exact Obedience to his Holiness's Orders. Lastly, he prayed the Fathers to divest themselves of their particular Passions, which gave Offence to Christendom; and to lay

lay aside useless Questions, that they might apply themselves to necessary ones.

Two Days after, Cardinal Morone set out for *In-spruck*. He wish'd he could have seen the Cardinal of *Lorraine* before he went; but he having met with Cardinal *Navaggio* at *Venice*, and got out of him a good part of Cardinal Morone's Instructions, was afraid that when that Cardinal should communicate to him what he had to treat with the Emperor, either all or in part, that it might bring him under some Engagement. For that Reason he did not come back to *Trent* till *April 20.* and the same Day he received the News of the Peace which was made in *France*, to the Advantage of the Catholics. The Articles were drawn up in the Isle of *Beeves* near *Orleans*: They set forth, that the Lords, who had *High Justice*, should have publick Preaching in their Estates: That others, who had *Mean and Low Justice*, should have private Preaching only in their own Houses, for themselves and Families; provided that the Places where they liv'd, held immediately of the King: That in all Cities, where there was a *Presidial Bench*, there might be Sermons in the Suburbs (i): That every Man should be at liberty in his own House, without being disturbed or molested in Matters of Conscience: That the Exercise of *Calvinism* should be continued in Cities where it had been free before the Peace: That Ecclesiasticks should re-enter upon all the Churches which had been usurped from them, but without pretending to any Reparation of the Waste which had been made in them: That there should be no Exercise of the new Religion in the City and Provostship of *Paris*; but that those that had Houses there, might return and enjoy their particular Estates peaceably, without being molested about their Consciences: That all private Men should re-enter upon their Estates, Honours and Employments, all Sentences to the contrary, and Executions made since *Henry* the second's Death to that Time, to the contrary notwithstanding: That the King should declare, that the Prince of *Conde*, and all his Adherents, had done nothing but with a good Intention, and for his Service: That all Prisoners of War or Justice, taken upon the account of Religion, should be set at liberty without paying any thing: That there should be a general Amnesty, with a Prohibition to both Parties mutually to offend each other. These Articles were made upon *March 18.* and next Day the King issued out Letters Patents, in which he set forth, that since God had for some Years last past suffer'd his Kingdom to be afflicted with Seditions and Troubles on the account of Religion, and with infinite Numbers of Murthers, Devastations and Profanations, which still continue; and that he himself had experienced that War is not a Remedy for the Diseases of his State: He was resolved to re-unite his Subjects by a good Peace; hoping that Time and the holding of a holy and free or general national Council, would produce some good Establishment. The Articles concerning Religion, and some others relating to the State, were inserted into these Letters, which were verif'd in Parliament, *March 25.* and publish'd *March 27.*

About this time, *Pedro Soto* a *Dominican*, a Man esteemed for his Piety and his Learning, fell sick, and three Hours before his Death, dictated and signed a Letter to the Pope, in which he declared, by way of Confession, his Sentiments upon the Matters debated in the Council; and conjured his Holiness to consent, that the Institution and Residence of Bishops might be declared to be of divine Right. His Letter was sent to the Pope; but there was a Copy left in the Hands of *Lewis Soto*, his Companion, who

gave out several other Copies to his Friends. Every Man reason'd at *Trent* upon these Copies, which were spread abroad: Some laid great stress upon the Testimony given by a Doctor of an exemplary Conversation, a little before his Death: Others said, that *Soto* did not write of his own Head, but at the Instigation of the Archbishop of *Braga*. Those that held Residence to be of divine Right, laid great weight upon this Letter.

April 21. a general Congregation was held to fix the Prorogation of the Session, which was to have been held next Day. The two Legates proposed to prorogue it till *June 3.* The Cardinal of *Lorraine* was of a contrary Opinion, and said, that all Christendom was already scandalized at those frequent Prorogations, and would be more so, if a Day were assigned on which they would certainly not hold a Session: That of so many Matters as had been proposed, and treated of, concerning Residence, and concerning the Sacraments of Order and Marriage, nothing having been hitherto decided, he did not think it proper to determine the Day, but to stay till the 20th. of *May* before they fix'd it, because they might then appoint a Day as Matters should go: That if they would not lose Time, they might give their Opinions of the Abuses which related to the Sacrament of Order, whilst they staid for Cardinal *Morone*, who without doubt, would bring ample Instructions, by which they might put an end to Controversies, and finish the Council in two or three Months. His Advice was followed by Cardinal *Madruccio*, and so many Prelates, that it was order'd that the Day of the Session should be fixed upon the 20th. of *May*. The Legates were mortified to see the Cardinal of *Lorraine*'s Proposition follow'd rather than their own, and believ'd that that prejudic'd the Decree, *Proponentibus Legatis.*

The Cardinal of *Lorraine* sent Monsieur de *Villemur* to the Emperor, to carry him the Opinions of the French Doctors, upon the Articles which his Imperial Majesty caused to be debated; and to represent to him, that it would be necessary, in order to forward the Affairs of the Council, that his Imperial Majesty should speak roundly to Cardinal *Morone*, and let him perceive that he desired to see good Resolutions taken for the Glory of God; and that it was very important that his Majesty should not remove far from the Council, that so every Man might be kept to his Duty, and that Liberty might be preserved in the Council. *Villemur* was likewise order'd to present to the Emperor a Copy of the *Edict of Pacification*, and a Copy of the Letter of *Mary Stuart*, Queen of *Scotland*, in which she sent word to the Cardinal of *Lorraine*, that notwithstanding all the Conspiracies which were hatched against her Person, she would live and die in the Catholick Religion.

April 24. the two Legates, that they might do something whilst they waited for the Return of Cardinal *Morone*, communicated to the Ambassadors the Decrees which they formed concerning the Abuses relating to the Sacrament of Order; and upon the 29th. they gave them to the Fathers. The first Decree, concerning the Election of Bishops, did not please the Ambassadors; because it restrain'd the Nomination of their Masters. They all therefore laboured to have it corrected, or quite omitted. The Count de *Luna* said, he did not see what that Chapter serv'd for; and the Imperialists declared, that if there was a Decree made concerning the Election of Bishops, there ought also to be another concerning the Election of Cardinals and Popes.

[(i) The Lords of the *High Justice*, (*Seigneurs haut Justiciers*) are those who have Power of Life and Death upon their Estates, in all Cases below high Treason. *Mean and Low Justice*, are interior Jurisdictions and Privileges granted to some Lordships, which vary in several Provinces, according to the respective Customs of those Provinces. *Presidial Benches* are Courts below Parliaments; which in some Cases are sovereign, so as to suffer no Appeal from them. *Presidial Benches* are usually held in Cities, in which there are no Parliaments, which are what, in *France*, they call *Sovereign Courts*.

The History of the Council of Trent.

Indiction of Session put off to the 20th. of May.

Envoy from Cardinal of Lorraine to the Emperor.

Difficulties concerning the Decree of Reformation relating to the Sacrament of Order.

The History of the Council of Trent.

Entry of Cardinal Navagerio into Trent. Emperor's Letter.

French Divines withdrawn from the Council.

Letters of the Queen of Scotland.

Congregation signified for May 14.

Cardinal of Lorraine's Speech concerning the Article about the Election of Bishops.

April 29. in the Evening, Cardinal Navagerius entered incognito into Trent, to avoid Ceremonies.

In the Beginning of May, the Emperor wrote to the Cardinal of Lorraine, to tell him that Cardinal Morone's Proposition requiring mature Deliberation, he could not yet give him a positive Answer; but in proper Time and Place, he would give such a one as should make it appear, that all his Actions had the common Good of *Christendom* in view: That notwithstanding the pressing Necessities of his other Dominions, he would stay at *Innsbruck*, as long as there should be any Hope of Good that might accrue from the Council, if it were only to maintain its Liberty.

The French, who knew that the King had sent the *Sieur de Alegre* to the Pope, the *Sieur de Birague* to the Emperor, and *D'Oisel*, a Counsellor of State, to the King of Spain; to desire the Council might be removed to some City in Germany, at the Solicitation of the Prince of Conde, began to concern themselves no longer with the Business of the Council; and the Divines sent by the King, seeing that their Pensions were not paid, and that they wanted Money, all went away, except two *Benedictines*, *John de Chartogne*, and *John Verdun*, (who were maintained by their Order) and *F. Hugonis* a *Franciscan*.

May 10. there was a Congregation to read the Letters of *MARY STUART* Queen of Scotland, who declared, That she submitted to the Council; and promised, That as soon as she was in Possession of the Crown of England, which belonged to her, she would bring back the two Kingdoms to the Obedience of the Holy See. When these Letters were read, the Cardinal of Lorraine made a Speech to excuse that Princess for not sending Ambassadors or Bishops to the Council, saying, the Reason was, because her Subjects were Hereticks; but that, for her self, she would never forsake the true Religion. The Promoter made Answer, in the Name of the Council, full of Thanks to that Queen.

The Cardinal of Lorraine having received Intelligence from the French Ambassador at Rome, That the Pope looked upon him as the Head of a Party; had sent his Secretary, *Philip Musset*, to make his Apology to his Holiness. This Secretary brought back a Letter from the Pope about this Time; in which he told him, That he was persuaded of his good Intentions; and was content that the Decrees concerning Order should be laid aside, that they might set to the Business of Reformation. The Cardinal of Lorraine having shew'd this Letter to Cardinal Simoneta, that they might take joint Measures about managing their Business; Simoneta, who had contrary Orders from the Pope, told him, Nothing could be done about Reformation till Cardinal Morone came. This made the Cardinal of Lorraine believe the Pope was not for Reformation: For which Reason, he began to complain loudly; saying, The Council had no Liberty; and that they not only waited for the Decision of the least things from Rome, but that the Fathers themselves much less Cardinal Madruccio and he, were not thought worthy to know what was order'd at Rome, that so they might at least conform themselves to his Holiness's Will. The Legates seeing that these Complaints of the Cardinal of Lorraine made Impressions upon Mens Minds, appointed a Congregation upon May 14. to treat of Abuses relating to the Sacrament of Order, without staying for Cardinal Morone.

In that Congregation the Cardinal of Lorraine gave his Opinion concerning the Article about the Election of Bishops, which was afterwards suppress'd; and spake very largely of the Abuses therein committed: And that he might inveigh the more freely against those of the Court of Rome, he began with France, and did not even spare the King: For, speaking of the *Concordat*, he said, That *Leo X.*

and Francis I. divided the Collation of the Benefices of the Kingdom between themselves, which belong'd to the Chapters: He shew'd, that it neither belonged to the King to name Bishops, nor to Cardinals to hold Bishopricks: He blamed the last Agreement made in France with the *Hugonots*: And then leaving France, he said, That Rome was the the Fountain from whence all Abuses sprang: That no Cardinal was without a Bishoprick, tho' it was incompatible: That this Custom of Commendams, Unions for Life, and Administrations, by vertue whereof Men held several Benefices against all Justice, under pretence that they were but one, was a direct mocking of God. He cited that Passage of *St. Paul* several times; *Be not deceived, God is not mocked; whatsoever a Man soweth, that shall he also reap.* Then he fell upon Dispensations, and condemned them as Things that took away the Strength of all Laws. In short, he spake upon so many Abuses, and with so great Heat, that he alone took up the whole Congregation. Cardinal Simoneta was so angry at his Speech, that he scrupled not to say, That the Cardinal of Lorraine talk'd like the *Lutherans*; and that it were to be wished, that he had not at least some of their Notions in his Heart. This angered the Cardinal of Lorraine so much, that he complained about it to the Pope.

During these Disputes, the Emperor sent back Cardinal Morone with his Answer in Writing, drawn up in general Terms: 'That he would defend the Authority of the Pope against Hereticks whenever there should be occasion: That he would stay at *Innsbruck*, without going any farther: That the Council ought not to be translated, without the Consent of the Kings of France and Spain: That as to his Coronation, that ought first to be proposed in a Dyet, for fear of giving Umbrage to the Germans: That as to the Manner of managing Business in the Council, he required two Things; that the Reformation should be made at Trent, and that every Man should propose there what he thought necessary: And that they should begin to labour upon the Articles which he and the French had presented.'

Cardinal Morone came back from *Innsbruck* to Trent, May 17. 1563. The Legates set themselves immediately to treat of the Day of the Session together, which was to be determined upon the 20th Instant: But Matters not being yet ready, and it not being known when they would, it was resolv'd in the Congregation of the 19th. to stay till June 20. till the Day of the Session was fixed.

Before I come to speak of what pass'd in the Congregation of May 21. in which the Count de Luna was receiv'd as Ambassador from the King of Spain, it will not be amiss to give an Account how that Ambassador obtained that he might sit out of his Place, that so he might not sit below the French Ambassadors, notwithstanding all the Opposition which they made.

Monsieur de Lansac had Orders, in his Instructions, not to suffer any thing to be done in the Council, or elsewhere, to prejudice the Precedence of the Ambassadors of France above those of Spain; or to suffer that Right to be struck at in the least, or in any manner to be called in question: And in case so just a Thing was refused him, to protest against the Council as null; to declare, That France would not receive its Decrees in any manner; to go away immediately, and to carry along with him all the French Bishops. With this it was that Lansac began his Negotiation; giving, by that Means, Uneasiness to the Legates. The Marquis of Pescara, who was then at Trent, but who did not stay there long, declared to the Legates, That he would be contented with the Place which should be given him immediately after the Ambassadors of France: But then he gave them also to understand, that he would not obstinately persist in demanding Precedence; and that he would consent to have some Expedient found out.

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out. The Legates, who were afraid that this Dispute might cause a great Disorder, were of opinion, that the Pope should make a Decree, that the Ambassadors should not appear at Congregations or at Sessions, unless they were expressly invited by a Serjeant of the Council's; and that the Ambassador who should go without being invited, should be obliged to give place to those that were invited: And that since it was besides exceedingly for the Reputation of the Council, as well as of the Ambassadors, that they should be all named in the Acts, as well absent as present; that they should be named in the Order in which they came to *Trent*. But the *French* rejected all these Overtures, as well as all others, which might make their Right appear questionable, or which might leave any Room for a Dispute.

Cardinal *Borromée*, first Minister to *Pius IV.* made some other Propositions; but the *French* Ambassadors stood firm: And, on the other side, the King of *Spain* would not suffer the Count *de Luna*, whom he had named Ambassador in the room of the Marquis of *Pescara*, to go to *Trent*, till his Place was fixed, as well in the Congregations as in the Sessions. The Pope proposed, That, to avoid all Disputes which he foresaw would infallibly arise, they might do as they did at *Rome*, where the *Spanish* Ambassador was never at any Ceremonies at which the *French* Ambassador had a Mind to be present; or else, that the same Ambassador might do the Emperor's Business and the King of *Spain's* too. But this Overture not being liked by the *Spaniards*, and the Emperor not thinking it proper to give a Commission to the Count *de Luna*, because *Germany* and *Spain* had different Interests to carry on at *Trent*; they were forced to think of other Methods, especially since the King of *Spain* refused likewise to send a Prelate who might take his Place among the other Ecclesiastick Ambassadors. The Pope press'd the Legates continually to labour after an Accommodation; but forbade them to speak to *Lansac* before the next Session, lest it should be disturbed or retarded: For tho' it was his Interest not to do any thing without the *French* Ministers would join in it, or that might prejudice the King their Master, as well in Matters of Petition as of Possession; yet he knew they were so nice in this Affair, that they would never suffer the least Proposition of Accommodation to be made about it. This is what the Pope wrote in general to the Legates: But in a particular Dispatch to the Cardinal of *Mantua*, he took notice, that *Francisco de Vargas*, Ambassador from *Spain*, told him, in Confidence, and as a great Secret, that his Master the King of *Spain*, wrote to him, that rather than disturb or break the Council, he would choose to order his Ambassador to sit the last in the Council; but with a Protestation, that it was his Intention, that this pious Complaisance should not prejudice his Rights or Pretensions. *Vargas* desired the Pope to make a Secret of this to the Legates, lest they should grow more negligent in labouring after the Accommodation which they hoped to make with the *French*. But *Pius IV.* had not Discretion enough to make a Secret of a Matter, which, as he thought, would mightily facilitate the Progress of the Council, which was not a little retarded by such Sort of Disputes.

When the Legates had receiv'd these Letters, they invited the *French* Ambassadors to come to them; and they laid before them how much it imported *Christendom* that the Council should be continued and finished: That the Offices of the Ministers of the two Crowns were necessary in order thereunto: That consequently it was as necessary that the *French* should do for the King of *Spain*, who was Brother-in-law to their King, all that lay in them; provided it was without prejudicing the Dignity of the King their Master. They proposed at the same time two Expedients, either of which would preserve

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their Place immediately after the Emperor's Ambassadors: One was, That the *Spanish* Ambassador should have a Seat in the Midst of the Hall, over-against the Legates, in the same Place where the *Portuguese* Ambassadors sat in *Julius III's* Time, upon the Account of their Contest with the Emperor *Ferdinand's* Ambassadors, who represented him as King of *Hungary*: The other was, That the Count *de Luna* should have a Place upon the Ecclesiastical Bench, after the Emperor's Ambassador, who was an Archbishop. The *French* Ambassadors replied, they had no Propositions to make or to receive: That the Disorder proceeded only from those who desired to make Innovations; and that, to prevent it, the surest Way was, to leave Things as they had been for several Ages: That this was the Order which they had from the King their Master, who commanded them to be gone, and to carry with them the *French* Bishops, if the least Innovation were made: That they did not accuse King *Philip* as the Author of all these Innovations, but some ambitious, restless Men, who were Enemies to Peace: That they were well persuaded of the good Intentions of the King of *Spain*: That they knew that Prince would be so far from being willing to do a Prejudice to the King his Brother-in-law, during his Minority, that he would be always ready to assist him with all his Forces against the Rebels: That *France* could not be too sensible of this Friendship; but that the Laws of Gratitude did not oblige the King to make a Breach upon his own Dignity.

The Cardinal of *Mantua* remonstrated, That as long as they had their Place continued to them, they ought not to oppose the Satisfaction of another, at least if their Intentions towards the Council were good. The Ambassadors replied, That they should be very glad to contribute to the Satisfaction of others, provided it did no Injury to the Honour of their own Prince: That all these Propositions came from the *Spaniards*, who had no other Design, but to render that doubtful and problematical, which it imported the Dignity of the Crown of *France* to have settled as a certain Thing; which was, That the first Place after the Emperor is due to His most Christian Majesty; and that they ought not to be accused, nor so much as suspected of ill Will towards the Council, because they desired to keep themselves in their old Possessions, and would not agree to any Innovation. Then the Cardinal of *Mantua*, who knew the Secret, and was willing to conclude something which might be more advantageous to the King of *Spain*, than the obliging of his Ambassador to take place after the King of *France*, ask'd the *French* Ambassadors, what they would say, if the *Spanish* Ambassador would sit below all the rest; and whether, in that Case, they would force him to take a more honourable Place than he gave himself? The Ambassadors of *France*, who were surpriz'd at so extraordinary a Question, said, They would think of it. The Legates desired them to think upon it seriously: And in the mean time they endeavoured to get over the Cardinal of *Lorraine*, that he might work the Ambassadors to be more easy.

The Cardinal told them immediately, that the Ambassadors ought to know their own Orders: That they were obliged to obey them, and to keep to the ancient Custom: And that they ought to address themselves to the Court, if they would find out any expedient. *Lansac*, writing to the *French* Ambassador at *Rome*, concerning this Matter, scrupled not to tell him, that Things would never go otherwise: And whereas there was a Report spread at that Time, That *Lewis d' Avila*, the *Spanish* Ambassador, had Orders to press the Pope to give the King his Master the Title of *Emperor of the Indies*; *Lansac* added in his Letter, That the *Spaniards* ought not to fancy, That by this new Title King *Philip* would acquire a new Right which should oblige the *Emperor of Gaul* to give him place.

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When the Pope knew what passed in the first Conference, he wrote to the Legates, That the Answer of the *French* did not at all surprize him; and that he believ'd before, that the Methods which he had propos'd would not succeed; but then he thought likewise, that he ought to do whatsoever lay in his Power: That he had nothing more to say, but only, That if the *Spaniards* would protest, the Legates must receive their Protestations. This happened towards the End of the Year 1562. And much about the same Time, King *Philip* wrote to the Pope, That in the present Conjunction he would not too much mind Precedence, because in the Post in which God had placed him, these vain Thoughts gave him no Disturbance; but that he would think only upon what related to the Service of God, and the Good of the Church. The Extract of this Letter was communicated to the Ambassadors, who immediately sent away *Lancelot*, Advocate of the Council, to the Count *de Luna*, who was with the Emperor at the Diet at *Augsburg*, to invite him to come to *Trent*. The Count made answer, That he could not come till he was assured that the Rank they intended to give him should be agreeable to his Honour; that is to say, that he should have the first Place after the Emperor's Ambassador, or else the first Place among the ecclesiastick Ambassadors; because the second Place there, was taken by the Ambassador of *Ferdinand*, as King of *Hungary*. The Legates knew very well, that the *French* would absolutely refuse the first Proposal; and so they were willing to oblige the Cardinal of *Lorraine* to get the second accepted: But that the Cardinal rejected likewise, and said, That the Place of the Ecclesiasticks being more honourable than that of the Laity, this would only redouble the Honours which they pretended to do to the *Spaniards*. There was also another Difficulty; namely, that *John de Morvilliers*, Bishop of *Oriens*, who in *Lansac's* Absence did the Business of first Ambassador, being a Churchman, the Ministers of *France* had a Place upon both Benches; so that the *Spanish* Minister could sit upon neither, without giving Place to the others. The Legates therefore came back to their first Proposition; namely, to give the *Spaniards* that Place which had formerly been given to the *Portuguezes*, over-against the Legates. The Cardinal of *Lorraine*, either out of Prejudice, or for some other Reason, was of opinion, That since the Place which the *French* Ambassadors always had, immediately after the Emperor's Ambassador was preserved to them, that they ought to make no Opposition. But the Ambassadors talked quite otherwise: They said, It was their Intention and their Duty to preserve to the King their Master the first Rank after the Emperor's, in such a manner, that it might appear visibly to all the World, and that no Man might dispute it with him; as might be done, if the *Spanish* Ambassador had any other Place assigned him, besides the ordinary one, which is that which immediately follows the *French* Ambassadors: That they had no Orders to accept of any other Offers; and if they had not Satisfaction in that Point, they would order all the *French* Prelates to withdraw, upon Pain of Disobedience, and Seizure of their Temporalities. The Legates fancying that a vigorous Opposition would at last overcome the Constancy of the *French*, told them, That their Obstinacy and Stiffness being unreasonable, they would suffer it to go no farther; but they would give the *Spanish* Ambassador the Place they had designed for him. The *French* Ambassadors were the more vexed at this, because they fancy'd the Legates intended to give the *Spanish* Ambassador an extraordinary Place in the Sessions, as well as in the Congregations; because there the Seats were so disposed, that it was possible for the *Spanish* Ambassador to have the most honourable Place. This they supposed the Legates did on Purpose, that *France* might be so sensibly affronted, that it should be obliged to re-

call its Ambassadors and Bishops, and thereby give an Occasion to a Dissolution of the Council. For which Reason, that this Dispute might not draw a Rupture between the two Crowns after it, at a Time when *France* was not willing to provoke *Spain*, the *French* Ambassadors resolved to bring the Legates under a Necessity of breaking with them first; and so sent away an Express to Court, where that whole Matter was referred back to the Cardinal of *Lorraine*. That Cardinal thereupon told the Legates, That he could think of no other Expedient, but that of the *Spanish* Ambassador's yielding, or absenting with a Protestation. Then he added, That in his Opinion, the *Spanish* Minister might have a Seat assigned him in the Congregations, over-against the Legates; but not in the Rank of the Ambassadors near the Secretary of the Council; that so it might not be thought, that that Place was assigned him by the Assembly, or by the Order of the Presidents; which might give occasion to new Pretensions. But this was only the Cardinal's private Opinion: For after he had conferred with the *French* Ambassadors, he told the Legates, That the Ambassadors thought, that during the King's Minority, the Ministers could not consent to the least Alteration which might prejudice that Possession which *France* had, of preceding all the other Kings of *Christendom* in every Place: That what was done at *Trent*, would be of the greater Consequence; because the Eyes of all Mankind would be fixed upon what was done in an Occumenical Council: That the Services which the Kings of *France* had done to the holy See, would not suffer it to do them less Honour in this, than had been done in former Councils: That the *Spanish* Ambassador ought to take no other Place but the ordinary one, just after the *French* Ambassador: That even if he took the lowest Place of all, yet that might call the Right of the King their Master in question: That consequently this would be to do him a Prejudice, which would oblige them to be gone: That the War which the King sustained against the Hugonots, for the Love of the Church and of Religion, ought to induce the Fathers to maintain the King of *France* in his Right of Precedency, in Imitation of the Senate of *Venice*, which maintained him in the Possession of his Right. The Legates were the more surprized with this Discourse; because the King of *Spain* had made the Pope believe, that the Offers which he had to make to the Court of *France*, would oblige them to send other Orders to their Ambassadors during these Contests, *Claudio Quinones*, Count *de Luna*, Ambassador of *Spain*, arrived at *Trent*. In a Conference which he had with the Legates upon this Matter, they acquainted him with the Cardinal of *Lorraine's* Overture, of giving him a Place by himself; and they advised him to acquiesce in it, because such a Place did not take away his Right: And that tho' the *French* Ambassadors should oppose it, yet there might be Ways found out to bring them over, by the Means of the Cardinal of *Lorraine*, to whom the Queen had referred that Matter, as they had been informed. Hereupon the Count *de Luna* publicly declared, That if he could not obtain the Precedence of *French* Ambassador, he would be contented to be placed over-against him, or on any other side that the *French* Ambassador should choose. He declared also, That he would make no Difficulty of taking any other Place which the Legates would assign him, provided it did not appear that he yielded to the Ambassador of *France*: But if they would not give him such a Place as he could with Honour accept of, he would pursue his Orders, and withdraw. The Truth is, he had such Orders: For tho' *Philip* had written to the Pope, as has been observed already, that he would not amuse himself with these Vanities, nor push forward his Pretensions; yet either those Declarations were not sincere, or he alter'd his Mind afterwards. In the mean time, the Legates considering that the Presence of the *Spanish* Ambassa-

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The History of the Council of Trent. The Pope added great Lustre to the Council, and that it was even more necessary than the French Ambassadors, because of the great Number of Prelates, who were Subjects, Creatures, or Dependents upon the King of Spain, resolved upon what had been proposed concerning the Place, and sent word of it to the Pope. The Cardinal of Lorrain wrote likewise to Queen Catherine de Medicis, to know her Intentions in this Matter. She answer'd, that she loved the King of Spain her Son tenderly: For so she called him, tho' he was but her Son-in-law: And that she was desirous, not only to preserve his Honour, but also to augment it if she could: That if he were in possession of the Precedence, she would never so much as think of contesting it with him; but that it was certain, that the French Ambassadors have always had, in all Councils, a Place immediatly after the Emperor's, and particularly before the Spanish Ambassadors: That in the Council of Constance, the illustrious John Gerson, Ambassador from France, had the first Place; and after him, Raimond Floch, Count de Cardonna, Ambassador from Alfonso King of Castile: And that in the Council of the Lateran, held under Leo X, tho' Ferdinand possess'd the same Kingdoms in Spain, which Philip now possesses, Jerome de Vic, his Ambassador, always gave place to Lewis de Solieres, Ambassador of Lewis XII. That during the King's Minority, the Queen could make no Innovations to the prejudice of the King her Son, and against the Honour of the Nation. When the Cardinal of Lorrain receiv'd this Answer, he went to wait upon the Emperor at Inspruck, to desire him to bring the Count de Luna to yield this Matter, assuring him, that after that, the French Ambassadors should pay him all the Honours which he could desire from them. The Emperor told him, that he would not meddle with these Pretensions, nor constitute himself a Judge of the Rights of the two Kings: But that the Cardinal ought to remember, that he himself had proposed to have a particular Place assign'd to the Spanish Ambassador; believing that that could bring no Prejudice to the Ambassadors, as long as they kept their own: That he could wish, that the Ambassadors would amicably agree together, without interressing the Kings their Masters with the Matter; towards which, he desired the Cardinal of Lorrain to use his utmost Endeavours.

The Pope, to whom the Legates had written, as we have said already, had the same Consideration for Spain that they had; and believing that he could not offend Philip, without doing a considerable Injury to the Affairs of the Council, he resolv'd to give him some Satisfaction. That the Legates therefore might have more Authority and Courage to execute his Orders, he sent them word, that the King of Spain press'd him exceedingly, and thought it strange that they should defer so long to give his Ambassador a Place, both in the Congregations and in the Sessions: That he thought it reasonable, that they should have some Consideration for so great a Monarch; and that they should find out some Way to satisfy him, without prejudicing the Interest of either side: That the Place which he had marked out in the Draught which he sent them, was, in his Opinion, honourable and proper; and that he did not see that the French could have any Reason to complain: That this was his Intention: That this they were to execute with their usual Dexterity; and if they found any Opposition, they should let those protest that had a mind to it; provided his Orders were executed, wherein they were not to fail. Cardinal Borromeo sent a particular Letter in Cypher, wherein he said, that the Pope would have this Matter kept secret till the time of Execution, that the French might be surprized: That perhaps they would not be contented; but then they must let them protest, and withdraw too, if they had a mind: For the Legates were commanded to execute these Orders in every Point. Besides this general Letter to the Legates, there was a particu-

lar one sent to Cardinal Morone by Cardinal Borromeo; wherein he was told, as a great Secret, that the Spanish Ambassadors, had put a Paper into the Pope's Hands, sign'd and seal'd by them both, with their own Seals; wherein they promised him, in the Name of the King their Master, that he would employ all his Forces, his States, and even his own Person, for the Defence and Augmentation of the Authority of the Pope, of the Holy See, and of the catholick Faith: That the Pope was willing Cardinal Morone should know this Particular, that by that he might judge, that it was not without Cause that his Holiness labour'd to give Satisfaction to the King of Spain. But before they came to that, the Legates were willing to make another Attempt upon the Minds of the French Ambassadors, to dispose them to give the Count de Luna a Place by himself. They let them know, by the Cardinal of Lorrain, that this Place by himself, which they desired for the Count de Luna, was only in the Congregations, which were not publick Actions; but that they would dispose the Count to stay away in the Sessions. This was the Colour which was given to the acquiescing the French Ambassadors: But the Truth is, the Cardinal of Lorrain did not sufficiently manage the Honour and Interest of the King his Master; and so obliged the Ambassadors to consent that the Spanish Ambassador should have a Place assigned him by himself. And so, in the Congregation of May 21. the Count de Luna having read his Letters of Credence, and his Powers, dated Octob. 20. 1562. spake in these Words: 'I am willing to receive, for the present, the Place which is given me; but with a Protestation, that I do not design that my Moderation, and the Regard which I have for the Deliberations of this holy Council, shall in any measure prejudice the Dignity, and Majesty, and Right of the Catholick King, my Prince, or his Descendents; or hinder their having, for the future, here, or in any other Place, all their Claims entire: I intend therefore to reserve, and do actually reserve, for every other Place and Time, the Rights of my King and his Descendents; which Rights he may pursue and defend hereafter, as much as if I had from this Moment, the Place which I pretend to be my due.' Then he demanded that his Protestation might be registred in the Acts of the Council; that no Edition of the Acts might be made, in which this Declaration was not inserted at full length; and that they would give him an authentick Act of it. The French Ambassadors protested in their turn, that theirs was the first Place after the Emperor's, and the same which their Predecessors enjoy'd in all Times: That this might be prov'd by the History of the Council of Lateran, which was held under Leo X. in which Lewis de Solieres, Ambassador from Francis I. took place of Jerome de Vic, the Spanish Ambassador; and John Gerson, in the Council of Constance, above Raimond Floch, Count de Cardonna: That if the Place which the Count de Luna possesses could be prejudicial to them, it would also be so against the Emperor's Ambassadors: That the Spaniards would also dispute Precedence with them, if they should once obtain it of the French: That the Fathers therefore, who represented the universal Church, ought to call down every Man to his own Place, as it is in the Gospel, Give this Man place: But that since the Fathers and the Emperor's Ambassadors suffer'd themselves to go into this Innovation, though it was their Interest as much as of the French, who were willing to preserve their ancient Place, they, trusting in the Sincerity of his Catholick Majesty, and in the Alliance of the two Crowns, demanded nothing more for the present, but that the Fathers should declare, that what the Count de Luna had done, could not in any measure prejudice the immemorial Possession of his most Christian Majesty, and that their Answer might be inserted in the Acts of the Council.

Peter Fontidonius, (or as it is in *Spanish*, *Pedro de Fuentiduenna*) made a Speech in the Name of the Count *de Luna*, the Substance whereof is this. 'That the Council being now near an End, the Catholick

King sent that Minister to assure the Fathers, that he was ready to do for the Council all that the Emperor *Martian* did for that of *Chalcedon*, that is to say, to defend the Truth taught in its Decrees, to appease Tumults, and to bring that Council, which his Father *Charles V.* protected in its Birth and Progress, even so far as to undertake dangerous Wars on its Account, to a happy Conclusion; and of which the Emperor *Ferdinand*, his Uncle, was now the principal Support: That his King had omitted no part of the Duty of a Catholick Prince to call them together: That he had sent to it his Bishops, and the most considerable Divines in *Spain*: That he had preserved Religion in that Kingdom, by stopping up all the Avenues of the Pirences against Heresy: That by his Care he had hindred the Penetrating of that Plague into the Heart of the *West-Indies*, and prevented the Stifling of the first Seeds of the Christian Religion, which began to spring up amongst those People: That it was by this Prince's Industry, that Faith and Purity of Doctrine flourisht in *Spain*; so that the Church had wherewith to comfort it self, under the Affliction of seeing other Provinces infected with Heresy, whilst *Spain* was perfectly Sound, and capable of affording to it a Sheet-Anchor amidst all these Shipwrecks. Would to God, said he, That other Princes had imitated the Severity of King *Philip* against Hereticks; the Church would then have been delivered from an Abyss of Evils, and the Fathers from the Trouble of calling a Council. He said the King of *Spain* married the Queen of *England*, only in hopes to reduce that Island to the Obedience of the Church; he mentioned the Succours that had been lately sent to the King of *France*, who had obtained a noble Victory over the *Hugonots* by the Valour of the *Spaniards*, though their Number was but small. He said *Philip* expected of the Council, that they should establish sound Doctrine, and reform Mens Manners. He commended the Fathers, that they would never treat of the one without the other; he told them his Prince desired them carefully to examine the Demand of those Men, who have more Zeal than Prudence, were for yielding something to the Enemies of Religion, to bring them back. He inveighed against those that said, the Protestants ought to be won with Sweetness; saying, they had to do with People who were neither gained by Benefits nor Mercy. He exhorted the Fathers to demonstrate, that the Majesty of the Church concerned them more than the Satisfaction of those that were gone astray; the Church having always been accustomed to repress the Boldness of its Enemies, and even to refuse them what might have been honourably granted. He conjured them, in his Master's Name, to lay aside Superfluous Questions; and said, that as they were met to cure the Evils which tormented *Christendom*, so if they did not bring that to Effect, Posterity would lay the Fault upon themselves alone; and would have Reason to say, they could have done better if they would. He ended with commending the Count *de Luna* and his Ancestors.

He was answer'd, that under the Grief which the common Calamities caused to the Fathers, it was a great Comfort to them to hear of the Piety of the Catholick King, and his Resolution to maintain their Decrees, commended: That the Emperor and Christian Princes having the same Intentions, the Fathers would on their Parts endeavour perfectly to Correspond to their Desires; as indeed they were led to do by their own Inclinations, and by the Exhortations of the Pope: That even since they met,

they have never ceased to labour after Reformation of Manners, and the Explication of the Catholick Doctrine: That they thanked his Catholick Majesty for his Zeal for Religion, for his good Will towards them, as also for sending such an Ambassador as the Count *de Luna*, from whom they expected much Assistance.

The Speech of the *Spanish* Doctor displeased all the Ambassadors; their Masters being in some measure blamed for not imitating the Conduct of the King of *Spain*, and for not shewing the same Resolution in executing the Decrees of the Council against Hereticks with Rigour: And when they complained of it to the Count *de Luna*, he told them, he was as angry at those Words as they; nay, that he had commanded *Fontidonius* to suppress them; and that he would punish him for his Disobedience.

The Pope, who was sensible that the Cardinal of *Lorrain* might be discontented upon the account of his Country, because he so easily consented that the Count *de Luna* had a Place assigned him by himself, was desirous, to win him over; and knowing that he was to meet the Cardinal of *Ferrara*, who came back from his Legation, he gave Orders immediately to *Visconti*, Bishop of *Vintimiglia*, to prevent the Cardinal of *Lorrain*, and to go with all expedition to meet the Cardinal of *Ferrara*, and inform him of the State of the Council, and how he ought to treat with the Cardinal of *Lorrain*, in order to bring him entirely into the Interest of the Count of *Rome*, or engage him to retire from the Council. *Visconti* executed his Commission, and saw the Cardinal of *Ferrara* before the Cardinal of *Lorrain* met him. May 24. the two Cardinals met at *Ostia* in the *Veronese*, and the Cardinal of *Ferrara* gave *Lorrain* a particular Account of the Affairs of *France*, and of the House of *Guise*, since the Duke's and his Brother the Grand Prior's Deaths, and remonstrated to him, that his Family wanted his Presence. He told him also, that now the Peace was made with the *Hugonots* in *France* the Reformation would not produce the good Effects which Men had promised to themselves. But the Cardinal of *Lorrain*, who thought himself bound in Honour not to leave the Council, complained that Cardinal *Morone* had not communicated any thing with him of his Negotiation with the Emperor: That his Imperial Majesty had done him the Honour to write to him; and that he was so well with the Count *de Luna*, that he had reason to hope he should get the Residence of Bishops declared to be of Divine Right; which was what the *French* very passionately desired. By this Answer, the Cardinal of *Ferrara* found there was nothing to be expected of the Cardinal of *Lorrain*, and acquainted Cardinal *Morone* therewith, who, to soften that Cardinal, made him a visit upon his return to *Trent*, in his Pontifical Habit, with the Cross carried before him, and followed by a great number of Bishops. After the first Compliments, Cardinal *Morone* desired him to advise, command and act, as if he were one of the Legates; adding, that the Pope desired a Reformation, and had sent them twenty four very vigorous Articles: That his Holiness designed also that the Demands of the Imperialists and *French* should be proposed, excepting those that concerned the Court of *Rome*, which he intended to reform himself, that he might maintain the Authority of the Holy Apostolical See: But the Cardinal of *Lorrain*, who was afraid that Cardinal *Morone* intended to throw some part of the Envy upon him, or else render him suspected to the *Spaniards*, answer'd, that he had not Strength sufficient to bear the Weight of the Legation: That it would be sufficient for him to give his Opinion as an Archbishop: That he commended the Zeal which the Pope shew'd for the Reformation of other Churches; but then his Holiness ought not to take it ill, if Bishops also exhibited a like number of Articles, to reform the Cardinals and the Court of *Rome*: That the Apostolical

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 Theological See deserved all manner of Respect; but then under that pretence it ought not to suffer Abuses. Cardinal *Morone* was not well satisfied with that Answer, and found that Art must be used till their Affairs were in a better Posture.

Charles IX's Letter to the Council.
 At the same Time the President *Birague* arrived at *Trent*, and *June 2.* he was received in the Congregation; at which the Ambassadors who were inferior to *France*, did not assist, because they would not yield to a Minister who had not the Title of Ambassador. He presented Letters from *Charles IX.* dated *April 15.* which set forth, 'That the Civil Wars kindled in his Kingdom upon the account of Religion, and all that had been done to remedy it by the Force of his Arms, and the Arms of his Allies, had been useless; since by an unsearchable Secret of the Judgments of God, nothing had happen'd but Murthers, Plundering of Cities and Churches, Deaths of Princes, Lords and great Captains, and thousands of other Calamities: That having therefore found that Force of Arms was not the way to awe Mens Minds, which are only won by Persuasions, he was constrained to come to an Agreement with the *Hugonots*; not in order to suffer the Establishment of a new Religion in his Kingdom, but that when Arms were laid down, he might with less Contradiction come at a General Re-union of all his Subjects in the same Religion: That he expected this Good from the Mercy of God, and that serious Reformation which the Fathers of the Council intended to make: And that having many Things to represent to them, he sent Monsieur *René Birague*, President of the Supream Council for Matters beyond the Mountains, to them for that purpose.

Birague's Speech to the Council.
 When these Letters were read, *Birague* made a Speech, in which he at large set forth the Divisions, Wars, and miserable Estate of *France*; especially since taking of the *Constable*; and the Death of the Duke of *Guise*, who were as it were the two Arms of their Prince. He made a long Justification of the Peace made with the *Hugonots*, and said, it was of very great advantage to the *Catholicks*: That neither his Majesty nor his Council ever intended to suffer a new Religion to be establish'd, but only to re-unite both Parties amicably in the old, by the ways which his Ancestors used; who knew that the exercise of two Religions could not be of long continuance in any State. He added, that his Majesty hoped for Success by the singular Favour of Heaven, and the Support of this Council, which is a Remedy, that has been in all Times employed for the healing of such sort of Evils as those are which now afflict *Christendom*. He prayed the Fathers to second the good Intentions of his King, by an exact Reformation, by re-establishing the Church in its Primitive Purity, and by pacifying the Differences in Religion: Promising that the King would always be a *Catholick*, fixed and devoted to the Holy See, after the Example of his Ancestors. He concluded with saying, that *France* expected from the Goodness and Prudence of the Fathers, that they should pity its Evils, and should take pains to remedy them.

Birague had Orders in his Instructions, to demand that the Council should be removed to a Place, to which the Protestants might have free Access; because they still suspected *Trent*, notwithstanding the safe Conducts of the Pope and Council, and desired a City in which the Emperor could be able to protect them: But he said nothing of that Article, by the Advice of the Cardinal of *Lorrain* and the French Ambassadors, who did not think it proper to mention it, and look'd upon that Order as revoked by Letters written since his coming away.

Councils Answer to Birague.
 The Legates had already order'd the Promoter to make answer, that the Fathers pitied the Calamities of *France*, and prayed, that since the necessity

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 of Affairs had constrained the King to make Peace with the *Hugonots*, in order thereby to procure a General Re-establishment of Religion in his Dominions, he would be pleased, for the Service of God, not to defer the Execution of so good a Design. But when they show'd this Answer to the Cardinal of *Lorrain*, before they went into the Congregation, that Cardinal being very uneasy at the Agreement which was made with the *Hugonots*, because of the particular Interests of his Family, told them, that he did not think it convenient for the Council to approve of an Agreement, of which they ought rather to complain, as being prejudicial to the Faith; and consequently that it was better to take Time to prepare an Answer, as had been usually done in important Cases. Hereupon the Legates alter'd their Opinions, and order'd the Promoter to tell *Birague*, that the things which he had said, required to be maturely consider'd, and therefore the Council would answer him in due Time and Place. The Ambassadors took it ill in the Cardinal of *Lorrain*, that he hindred the Legates from approving, as they ought to have done the Actions of the King their Master; whereas if they had not been disposed to have done it, he ought to have persuaded, nay forced them to it: However they would not, for several Reasons, write to Court about it; leaving it to *Lansac*, who was just a going, to report the Matter.

Speech of the Bishop of Nismes concerning Annats.
 The time of the Session now drawing on, there were several Congregations held; in the first of which, the Bishop of *Nismes* falling upon the Abuses in the Matter of Order, fell upon the Annats, and said, that he did not deny but all Churches ought to contribute towards the Pope's Expences; but he could not approve of Annats: That it would be very well if they paid the twentieth part of their Revenues, and that too at the End of the Year, and not before they had their Bulls, as had been usual: That since the Court of *Rome* was to be maintain'd out of the Contributions of every Church, it was likewise just that these Churches should receive some Profit thereby, and not suffer as they did by the Pope's Officers; and that the Fathers ought to give the Pope notice to provide about it: Then he spake of the Ordination of Priests, which was practis'd at *Rome*, saying, that it was against all Canons and Decrees; so that they ought to make a Decree, that if those that were ordained at *Rome* should be incapable, the Bishops might suspend them, without hindring their Proceedings by Appeals, or by any other way.

Dispute about Titular Bishops that had no Dioceses.
 In the next Congregation, the Bishop of *Guadix* spake very long when he gave his Opinion upon the four Articles concerning Abuses in matter of Order; in which it was said, that in order to remedy the great Scandals which perpetually arose from Titular Bishops who had no Dioceses, there should be no more made without very urgent Occasions: And that even then, before they were created, the Pope should allow them wherewithal to subsist and support their Dignity. He made a kind of an Invective against that sort of Ordination, saying, that Episcopacy requires a Diocese, as an Essential Thing: That Bishop and Church are Correlatives, and that the one cannot be without the other; so that it cannot be said, without Contradiction, that there is any Reason for making Titular Bishops: He maintain'd that their Ordination was a Human Invention, *Figmenta Humana*; that he could not see one single Foot-step of it in all Antiquity, where Bishops who quitted their Bishopricks, or were deprived, never past for such, no more than a Man was look'd upon to be Married who had never a Wife: This he confirmed by the ancient Canonists, who say, that Ordinations made by those that have left their Bishopricks, are null; and consequently to make Titular Bishops, was to alter the Institution of Jesus Christ and his Apostles.

Simon Nigri, Bishop of *Serzano* in *Tuscany*, maintained on the contrary, that it was convenient for the Church that there should be Titular Bishops. He began with saying, That there were two Things to be considered in a Bishop, Order and Jurisdiction: That by Order, Bishops become only Ministers of the Sacraments of Confirmation and Order, and that if they have a Power of making several Consecrations and Blessings which are forbidden to Priests, it is only by an ecclesiastical Ordinance; but that it is Jurisdiction which gives them a Part in the Government of the Church: That Titulars having only Power of Order, there was no Necessity for their having a Church: That if formerly Bishops were never consecrated without having a Church assigned to them, it was, because in those Days they never consecrated Deacons or Priests without a Title: That since it had been found to be for the Service of God, and the aggrandizing of the Church, that there should be Priests without Titles, it was reckon'd likewise to be advantageous to the Service of God, and for the Good of the Church, that there should be Bishops without Dioceses; because these Bishops were necessary to supply the default of Bishops who were either absent or employed in the Government, in Matters of State.

Session fix- ed upon the 15th. of July. June 15. Cardinal *Morone* proposed in the Congregation, That the Session should be fixed for July 15. The Bishop of *Segovia*, who was seconded by some other Bishops, said, he did not see how the Difficulties concerning Hierarchy, Order, the Institution of Bishops, the Preeminence of the Pope, and Residence, could be resolved in so short a Time: That they had better decide these Matters first, because they could at any Time assign a Day for the Session when they pleased; whereas it would be dishonourable to fix it, and then be forced to put it off afterwards: But the Majority were for holding the Session upon the fifteenth of July.

Lainez's Speech. Next Day *Lainez* made a long Speech; and speaking of Dispensations, he said, That it had been very improperly asserted, that the dispensing Power is only Interpretative or Declarative, because upon that Principle the Authority of a Doctor would be as great as that of a Bishop: That to say, as some did, That the Pope's Dispensation could not disengage him who was obliged before God, was to teach Men to prefer their own Consciences to the Authority of the Church: That since Conscience can err, and for the most part does err, if we trust to it, this would precipitate Christians into Dangers: That it cannot be denied that Jesus Christ has an Authority of dispensing with all sorts of Laws; and that the Pope, who is his Vicar, his chief Officer and Lieutenant, has the same Tribunal; and consequently it must be confessed, that he has the same Authority: That this being the Power of the Church of *Rome*, it ought to be well considered, that it is a Heresy to take away its Privileges; because that is to deny the Authority which Jesus Christ has given it. Concerning the Reformation of the Church of *Rome*, he said, That he that is Superior to all particular Churches, is so also to many of these Churches united together; and that if it belongs to the Court of *Rome* to reform every one of those Churches which have Bishops in the Council, whereas none of those can reform the Church of *Rome*, because the Disciple is not greater than his Master, nor the Servant than his Lord, as our Saviour says; it necessarily follows that the Council has no Authority to attempt that Reformation: That many People looked upon some Things to be Abuses, which when well examined, appeared to be necessary, or at least useful: That those who were for bringing back the Church of *Rome* to that Foot on which it stood in the Apostles Times, neither knew, nor could distinguish between its Wants and its Necessities: That it being manifest, that the

Church was now become rich, it would be very absurd to say, That the Providence of God gave it Riches, without suffering it to make use of them. Of Annats he said, it was of Divine Right that the People should pay Tithes and First-fruits to Churchmen; so the Jews paid them to the Levites; and as they paid the Tenth to the High-Priest, so ought Churchmen to pay it likewise to the Pope: That Tithes are the Revenues of Benefices, and Annats are the Tenths of Tithes.

The French and Spaniards believ'd that this Father spake by Order, or at least with Leave of the Legates; and this they gather'd from the Honours which they paid him, by commanding him to come into the middle of the Audience to speak, and also to sit down, though the other Generals of Orders never stirred out of their Places, and gave their Opinions standing. When Father *Lainez* knew that the French were angry at his Speech, he sent *Torres* and *Cavillon*, his Companions, to the Cardinal of *Lorraine*, to assure him, That he had no Design of offending him or the French Bishops, but only to reprehend the Opinions of some Doctors of the Faculty of Divinity of *Paris*, which were not agreeable to the Doctrine of the Church. This Excuse was made to the Cardinal of *Lorraine* before several French Bishops, who were met at that Cardinal's: They thought it was impertinent; and *John de Verdun*, a Benedictine, desired the Cardinal of *Lorraine* to give him leave to shew that the Doctrine of the Faculty of Divinity of *Paris* was Orthodox, and that of the Jesuite new and unheard of; assuring him, That he would speak with all the Modesty and Circumspection possible: *Hugonis* offered also to prove that the Proposition which *Lainez* laid down, That the Pope's Tribunal is the same with Jesus Christ's, is impious and scandalous, equalling the Mortal to the Immortal, and a fallible Judgment to that of God. But the Cardinal of *Lorraine* remonstrated, That if they could gain that no Decrees should be published which might open a Door to this Doctrine, it would be a great Thing: That this was the only Thing which they ought to drive at; and that the easiest Way to obtain it, would be to pass over those Propositions in Silence, that they might be forgotten; whereas if they were attacked, it might do some Prejudice to the Truth.

In the mean time the Legates drew up the two Chapters of Institution and Residence of Bishops, in such general Terms, that they pleased both Parties, and even the Cardinal of *Lorraine*. Then they began to treat of the Reformation of Cardinals; but they did nothing in that, because most of those who were at *Trent*, chose rather to have this Reformation made by the Pope, for fear lest whilst they gave their Opinions, they might let something fall which might hinder them from ever getting a Cardinal's Hat.

The Count *de Luna*, who was not content with the Place which had been given him in the Congregations, as had been said already, was willing to know where he should sit at Church when Mass was said upon solemn Festivals: This raised a greater Difficulty than the former; so that the Legates could not bring the Ministers of the two Crowns to an Agreement, what Pains soever they took. The Spanish Ministers would consent to nothing which shew'd the least Inequality; and the French Ministers could not bear that they should talk of an Equality. This new Dispute obliged the Legates to desire the Pope to give them Orders what they should do; and in case he would upon this Occasion be favourable to Spain again, that he should give them such precise Instructions as might serve to justify them. *D'Avila* and *Vargas*, pressed the Pope likewise at *Rome* to favour Spain; so that the Pope seeing his first Order had been so well executed, that it had as yet caused no Disturbance, and hoping that his second would

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Decrees of Residence, and institution of Bishops drawn up.

Dispute between the Ambassadors of France and Spain about Precedence.

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would have the same Success, wrote them word, that the *Spanish* Ambassadors prest him to fix the Place which the Count *de Luna* should have upon solemn Masses, wherein he could not deny him, since after he had assigned him a Place, there was a necessity of doing the same as to the *Peace* and the *Incense*, unless they would suffer the Count *de Luna* to withdraw: That considering the King of *Spain* was the principal Support of the Catholick Faith, he desired the Legates so to order it, that at the same time that the *Peace* (k) and the *Incense* was presented to the *French* Ambassador, another Priest or ecclesiastical Minister should do the same to the *Spanish* Ambassador, and that it should be so dextrously managed, that nothing should be perceiv'd till just at the Moment of Execution. He sent word also, that he intended to have these Orders executed, let what will happen; but still without prejudicing the Right of either Party.

Cardinal *Borromée* sent two Letters besides, in one of which, he mightily recommended Secrecy, ordering this to be communicated by the Legates to none but the Count. The Address with which this Order was to be executed, and the Choice of the Ministers who were to be employ'd, were set down in this Letter. In the other, he says, the Pope would not be well pleased if the Legates did now as they did formerly, when they executed the first Order, when they declared that his Holiness acted as he did out of his own Motion; but he would have them give out at the Moment when the thing was to be put in execution, that the Pope did it at the Request of the King of *Spain*, that the Count *de Luna* might be kept from going away; and that this was the Reason why the Pope, who saw how things went in *France*, was not willing to lose or hazard *Spain*. The Legates communicated their Order to the Count *de Luna*, upon *June 22.* when he was just going to take Horse to wait upon the Emperor at *Innsbruck*. The Count told them he was satisfy'd, and he did not believe the *French* would struggle much about it; however, that the Legates might without discovering the Secret, get *Draskowitz*, one of the Emperor's Ambassadors, to propose the Offer of two *Peaces* and two *Incenses*, as if it were a Thought of his Master's. *Draskowitz* therefore mentioned it to the Cardinal of *Lorraine*, that he might try to make them agree to it; and when he saw the Cardinal uneasy at it, he proposed another Expedient, which was, that upon *St. Peter's Day*, neither of them should have the *Peace* and *Incense*, as had been done to the Ambassadors of *Portugal* and *Hungary*, under *Julius III.* But neither did the Cardinal of *Lorraine* like this Expedient: Whereupon *Draskowitz* desired him to speak freely, not as a Minister of *France*, but as a Cardinal, and one zealous for the publick Good, and to tell him what he thought could and ought to be done. The Cardinal of *Lorraine* made him two Propositions. I. That the *Spanish* Ambassador should not come to the Church till towards the end of the Mass, when the Ceremonies of the *Peace* and *Incense* were over. II. That the *Peace* should not be presented to the Count *de Luna* till it had been presented to all the Ambassadors. The last Place, says he, cannot be in the least prejudicial to the *Spanish* Ambassador, because when he sits out of his Place, it must be kept for him, unless he has wrong done him, since the Imperial and *French* Ambassadors never scrupled receiving the *Peace* and *Incense* after the Ministers of *Poland* and *Savoy*, who sat upon the ecclesiastical Bench. But neither was *Draskowitz* better satisfied with these Overtures, than the Cardinal of *Lorraine* was with those that were made to him; so that when he gave the Legates an Account of his Commission, he spake of it as a desperate Thing.

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The Count *de Luna* came back from *Innsbruck* upon the 27th. but so late that he could not speak with the Legates that Night; wherefore he went to them next Morning, and understood from them what had past between *Draskowitz* and the Cardinal of *Lorraine*. They told him they were ready to execute the Pope's Orders. The Count accepted of their Offer, and said he did not believe the *French* would make a Noise if they were surprized, and much less when the Thing was once over, because they would not have the World believe that the *Spaniards* had got any Advantage over them, or that they had neglected to oppose it; but that they would be very glad to have it thought, that nothing past there to their Prejudice.

Upon *St. Peter's Day*, the Ambassadors and a very great Number of Bishops being met at the Legates to go along with them to Church; before they set out, it was whisper'd about, that the *Spanish* Ambassador intended to come, and bring along with him some Prelates of his own Nation. Upon this notice, the Legates gave secret Orders to the Master of the Ceremonies, to order a Seat to be carried into the Vestry, and to command two strange Priests to be there, to present the *Peace* at the same time to the two Ambassadors. The *French* Ambassadors did not perceive this Order which was given at the Legates; but they had hardly taken their Places in the Church, when they saw the *Spanish* Ambassador come in, and that a Violet-velvet Chair was brought for him out of the Vestry, and placed between Cardinal *Madrucchio* and the first Patriarch; and almost in the same Instant the Count *de Luna* went and sat down upon it. The *French* Ambassadors were exceedingly amazed; and the Cardinal of *Lorraine* changed Colour, and demanded with some Alteration, what Innovation is this, what is the Meaning of this new Place? He complained also to the Legates, and particularly that they had made a Secret to him of the Pope's Order. The *French* Ambassadors also complained loudly of the Honour which was done to the Count *de Luna* in prejudice of *France*, and that without hearing him or the *French* Ambassadors, or without their having appeal'd to them. This Debate lasted till the Gospel was done, tho' *Muglitius* and *Draskowitz*, who as first ecclesiastical Ambassadors sat next the Legates, made several Offers to try to pacify their Minds. But when they were going to the Sermon, which was preach'd in the Chappel upon solemn Days, the Legates retired into the Vestry with the Cardinals of *Lorraine* and *Madrucchio*, followed by the Imperial and *Polish* Ambassadors, and called in Monsieur *du Ferrier*, who went in with the Archbishop of *Sens*: The Cardinal of *Lorraine* desired also the Archbishop of *Granada* to be present. Cardinal *Morone* shew'd them the Pope's Breve, in which his Holiness commanded, that the Count *de Luna* should have a Place in Chappels and Congregations, and that there should be two *Peaces* and two *Censes*. The *French* replied, they ask'd for no Equality, but for Precedence, which, if it was not preserved to them, they would protest and withdraw. The Cardinal of *Lorraine*, who sat just by the Legates, seconding the Complaints of the Ambassadors, said, they had Orders to appeal to the Council, and to protest against Pope *Pius IV.* who, the *French* said, was not a lawful Pope, because he was simoniacally elected; and that the Queen had Letters of the Pope's which plainly prov'd it.

When this first Heat was over, which made no Impression, the *French* said, that even tho' the Pope were canonically elected, they would appeal from him as from a tyrannical Pope, who deserved to be deposed for his notorious Injustice, in dispossessing a minor King of a Right which he had enjoy'd for

[(k) The *Peace* is the Patten with the Host upon it, which the Priest gives the People to kiss. It is called the *Peace*, because when the Priest gives it to any Body, he says, *Pax tecum*, i. e. *Peace be*

with you. In the middle Ages, *Pacem dare*, was used for kissing by a Priest or Bishop, by way of Benediction. See *Du Cange's Glossary. v. Pax.*

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several Ages without Dispute, and this too without being heard : And that *France* would separate from the See of *Rome*, till they had put in a juster Pope. The Cardinal of *Lorrain* said besides, That the *French* Bishops would go away, and take Order in their own Kingdom concerning Religion, as should be judged convenient either by a National Synod or otherwise. The Legates told them, that since they had consented that the Count *de Luna* should sit out of the Rank of Ambassadors, they did not see why they could not suffer the *Peace* and the *Incense* to be given him also in an extraordinary Manner. The *French* replied, they could not suffer that Equality to be made between the Ambassadors of *France* and *Spain*; and that if the *Peace* and the *Incense* were presented to both at the same time, it would put the *Spaniards* in Possession of the Precedence; for let it be done how it would, it would give them a Title. The Legates therefore, to get quit of this Perplexity, desired the Archbishop of *Granada* to ask the Count *de Luna*, whether he would be willing to have the Ceremonies of the *Peace* and *Incense* omitted, acquainting him at the same time, That they were ready to execute the Pope's Orders, if he absolutely desired it. The Count consented that it should not be done that Time, reserving to himself a Power to cause those Orders which they had received from the Pope, to be executed when there should be a more favourable Opportunity. The *French* Ambassadors did very unwillingly consent that the *Peace* and *Incense* should not be presented; but then considering, That if they should be obdurate, they might force the Legates to execute their Orders, and so at least in Fact they should lose a Thing, the Right to which they would by any means preserve; and might break with the Pope, which perhaps would not be for the Interest of the King their Master, they demanded that the Ceremonies might not be performed not only to the Ambassadors, but also to the Legates. This the Legates granted very willingly, because they were not willing to have it said, that they had been the Cause or the Occasion that a Scandal happened. As soon as Mass was said, the *Spanish* Ambassador rose up and went out, even before the Legates Cross began to move.

That Day the Ambassadors went to the Legates, some as Parties, some as Mediators. The Legates told them all, That being prest by the *Spanish* Ambassador, they could no longer defer the executing of the Pope's Orders; and in Fact, Cardinal *Simoneta* sent for *Gabriel Paleotti*, Auditor of the *Rota*, and order'd him to draw up a Draught of an Answer to the Protestation which the *French* Ambassadors might possibly make. *Paleotti* told him, that he thought it was neither for the Service of God, nor of the Pope, to kindle a Fire that perhaps would be with great Difficulty quench'd : That all the Prelates were extremely alarmed at the Apprehension which they had of the Schism of *France*, and that the *Polish* Ambassador declared, that *Poland* would infallibly follow the Example of *France*. Cardinal *Simoneta* replied, That the Orders of *Rome* were so precise and positive, that they gave the Legates no Liberty of deliberating. *Paleotti* answered plainly, That he resolved not to contribute to any thing which might cause the Ruin of the Church : That he did not consider the Pope's Commandment, but God's, who expressly forbids the giving any Occasion to an apparent Schism in the Church : That all the Lawyers unanimously declared that a Command has no Force, when Changes arise in its Execution, which the Superior could not foresee. When *Paleotti* was gone, *Simoneta* sent for *Buon-Compagno*, who was of the same Opinion; and so was Cardinal *Navagerius*; so that all the Legates resolved to send an Express to the Pope, to represent to him all these Difficulties, and sent him away upon the first of *July* : But that in the

mean time they might bring Mens Minds to some Temper, they made a very great Secret of that Dispatch. They wrote therefore to the Pope, that this Business was very ill resented, not only by the Parties concerned, but by the *Portuguese*, and even by some *Spaniards*; who said, It was not reasonable to dispossess a minor King of his ancient Possession unheard: That *Ferdinand*, *Philip's* Uncle, would not do it in his Court; nor would the Pope do it in his own, where he could do it with more Liberty than in the Council : That Notice had been given them, that after the next Day was over, the *French* Ambassadors intended to declare, that that Liberty and Security which the Pope had so often promised them, were not to be found in the Council; since, without the Advice of the Fathers, or founding their Opinions, he had imperiously, of his own Head, and by his single Authority, made an Innovation in prejudice of the eldest Son of the Church, who had been owned as such for several Ages, and had caused him to be cruelly affronted in the Face of the whole Council, to which he had sent his Ambassadors and Prelates : That the *French* had a Protestation ready for next *Sunday*, when they intended, as they had already threatned the Legates, to speak with very little Respect of the Pope and Papacy; whilst they intended to treat the King of *Spain*, and his Ambassador, with great Civility; and so would lay all the Load upon the Pope, and then immediately withdraw : That they declared they would proceed against him, as against a *Simoniac* and a *Schismatick*, and cause him to be deposed; wherein they knew all the North would second *France* : That among the Prelates who were at *Trent*, some were malicious enough to believe that the Pope would make use of this Means to break the Council, that so he might not be obliged to take any Pains about Reformation: That consequently it behoved his Holiness to consider, whether it was proper to defer the Execution of an Order, from whence so great Scandal might arise, which they did not themselves foresee, when they desired him to let them know his Pleasure, at a Time when they did not think that the Execution of it could be accompanied with so many Difficulties. The Cardinal of *Lorrain* also sent an Express to the Pope, and wrote to him with extream Boldness, even so far as to tell him, That if it had not been for the great Prudence and Piety of the Count *de Luna*, and for the Moderation of the Ministers of *France*; the Festival of *St. Peter* had, by the Legates Management, become the most fatal and most unfortunate Day that had ever been seen in *Christendom* : That the Rank which he held in the Church, and his Zeal for the publick Good, obliged him to give his Holiness notice, that if his Order had been executed, the *French* Ambassadors would have declared, that since he abandon'd the Office of a Father, to assume that of a Judge, by giving Sentence without hearing the Party that was most concerned; they would not only not acquiesce in it, but they would take Order about their own Affairs, by addressing to the Council, or some other way, as they should judge to be most expedient : That his Holiness could not be ignorant, that the Resentment of great Princes, who know they have Wrong done them, makes them lose all Manner of Consideration and Respect: And this he desired the Pope to reflect upon. In the same Letter he reproached the Pope for telling him, by his Secretary *Mussot*, that he put so great Confidence in him, that he would have his Legates impart every thing to him which was handled in the Council; and yet he commanded his Legates, under Pain of Disobedience, to conceal from him even the Affairs of *France*, which were properly his own; and especially this, in which he might have been able to have done him more Service than in any other Matter whatsoever.

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When the Legates had sealed their Letters, they added one to Cardinal *Borromée*; to whom they sent Word, That they had receiv'd Intelligence, that the Count *de Luna* was resolv'd to have the Pope's Orders executed next *Sunday*: And that the Emperor's Ministers, who condemned the Obstinacy with which the *French* Ambassadors rejected their Expedient, had declared for the Count: That that Minister perceiving, that the Offices which he had caused to be done with the Cardinal of *Lorraine*, had been to no Purpose, intended that Day to cause three Bishops to acquaint him, That he was resolv'd to have the Orders from *Rome* executed: And that he had Reason to complain of the Coldness of the Legates; that so this Complaint might serve for a Justification for them, as well as for the Pope, who, as the Count said, did not act herein of his own Motion, but at the Instance of the King of *Spain*, his Master, whatsoever the *French* were willing to have believ'd on the contrary: And that the same Bishops were to add, That the Count had heard say, that the *French* intended to protest; but that he could not believe it, or that the Cardinal of *Lorraine* would suffer it, even tho' the Ambassadors had a Mind to it: However, that if such a Thing should happen, he would protest also for his Part, and would answer any disrespectful Language which they might use against the Pope, in such a manner as should make all the World know, that the King his Master would not endure the Respect which was due to the Common Father to be lost: That the King of *France* would himself resent it very highly, and would be very angry at those who should cause a Separation in the Church: And that tho' the *French* should go away from *Trent*, yet the Council would still continue and subsist. The Conclusion of this Letter was, That all this Proceeding did not lessen the Perplexity they were in; and that they prayed God to assist them by his Grace, whilst they laboured to dispose the Parties to an Accommodation.

The Truth is, the Count *de Luna* had got over several Prelates who were well affected to *Spain*, who had offered him to do all that lay in their Power to maintain the King's Honour and the Pope's Authority: But then there were some *Spaniards* on the other Side, who, being wiser and more resolute than the rest, acquainted him, That he ought seriously to reflect upon the King's Orders, That he ought not to break the Council: And plainly told him, That they would one Day accuse him before the King for breaking them.

Paicotti, Auditor of the *Rota*, wrote himself also to Cardinal *Borromée*, and sent him Word, That upon *St. Peter's* Day there was great Danger of a Schism, because of the Precedence between the Ambassadors of *France* and *Spain*: That he could not dissemble the extream Trouble which he felt in hearing what Blame was laid upon the Pope for meddling with an Affair of that Importance, and for doing so great an Injury to a Minor King: That it was believ'd he intended, by that, to break the Council.

Whilst the Couriers were upon their Way to *Rome*, the Count *de Luna* press'd the Legates to give him Satisfaction, by executing the Pope's positive Orders next *Sunday*. The Legates thereupon consulted the Fathers of the Council, who being for the most part inclined to Peace, said, They ought to wait for new Orders from the Pope: That the first Orders indeed set forth, That the Legates ought not to mind the Threatnings of the *French*, even tho' they should go away from *Trent*; but then they mentioned nothing of the Case of the Probability of a Schism: That it was to be presumed, that if his Holiness had foreseen, that, upon his Orders, the *French* would separate from the Church, as they threatned to do, he would not have sent such punctual ones. And indeed the Pope, in his Answer to the Legates, sent Word, That if there was a Probability of a Schism, they ought by any Means to

avoid it, and lay aside Points of Honour; as all the Laws and holy Canons ordain: That it was his Opinion, that there was no Innovation in what he had order'd the Legates; and that it was not his Intention that it should become a Custom afterwards; but that they should gain Time, and endeavour to bring Things to some Temper: However, that they should offer to make the Council Judge of this Difference, That if the *French* accepted it, and the Count rejected it, then he would do it in his own Wrong, and the Pope would be disingaged: That ever since he came to the Papacy, the *Spaniards* had constantly persecuted him, and threatned that their King would re-call his Ambassadors from *Rome* and *Trent*, if the Pope did not do what he desired: That when he saw, that for so small a Matter he ran the Hazard of losing the Friendship of so powerful and so good a King, whilst the *French* failed in their Duty towards God, by the Peace which they made with Hereticks; and by their Edicts, which permitted Sermons in despite of the Catholics; as also by their alienating of the Goods of the Church, without his Consent, and even against his Will; he thought he was obliged to send those first Orders, that he might not see himself forsaken, without Friends, and without Support: That he believed it would be executed without Noise, as the Count *de Luna* had made him hope: But now seeing there was Danger of a Schism, tho' he was fully persuaded, that even without that, the *French* were sufficiently disposed to do it, yet he would not give them any Opportunity or Handle; and consequently that they might defer the Execution of his Orders, only keeping secret what he had now given them Leave to do, about superceding the first Orders, till a way could be found to reconcile the Parties; leaving it however to the Discretion of the Legates, to publish it when they thought it proper.

The Pope also answered the Cardinal of *Lorraine's* Letter; thanking him for his Zeal and Affection, and telling him, That he could not expect any thing else from him, who was one of the principal Members of the holy Sec: That he was very glad they had come to an Agreement about the Precedence: That what he had ordered his Legates, about the two *Peaces* and the two *Censers*, was not done with any Design to prejudice or offend either side; but that his Secretary would acquaint him with the Reasons which led him to act as he did: That if the King of *France* acted as a good Son, he might be assured of his acting as a good Father: That what had been told him, of the Legates being forbidden, under Pain of Disobedience to shew him their Orders, was not true, but a downright Calumny; and that, on the contrary, the Legates had always been directed to honour and esteem him, and to communicate to him all their Affairs.

When the Legates had received the Pope's Answer, they kept the Orders which he sent them very private, and sought how to soften the Minds of the *French*; being apprehensive of their separating from the Church, and having notice of the Protestation which *Du Ferrier* had drawn up, and of a very sharp Speech which he intended to make, in case the Legates executed the Pope's first Orders. During this Perplexity they held several Congregations, that they might know what the Fathers thought, and find out some Method of Accommodation. There were several Lawyers, who were Counsel to the Legates, who in these Congregations did not approve of the Pope's first Orders; and affirmed, that this was purely a Lay-matter; and so the Pope neither could nor ought to decide it, but upon Cognizance of the Cause, and even after a voluntary Submission of both Parties.

The Emperor's Ambassadors, seeing the general Disposition of the Council was favourable to the *French*, and that they were blamed for shewing too much Partiality, went to the Legates, and declared, That they did not meddle with this Matter as Par-

ties, but as Mediators ; and that they would act as such with the Count *de Luna*, if any Expedient could be found. The Legates looked upon this Declaration as a Means to come at some Accommodation ; and accordingly solicited the Emperor's Ambassadors to bring the Count *de Luna* not to shew so much Heat, in demanding to have the Pope's first Orders executed, but to be willing to listen to such Propositions as might be made him ; such as these : That the same Order might be observed in the Sessions as was upon St. *Peter's* Day : That upon other solemn Days the Ambassadors of *France* and *Spain* might agree between themselves, which of the two should be at the Ceremonies. Upon this Foot it was pretended that they might make so good an Accommodation, that no Disorder could arise ; and that in the mean time they should write to the two Kings, to see if there could be any Way found to make a fixed Regulation about it. The Emperor's Ambassadors promised the Legates to speak to the *Spanish* Ambassador ; which they did : But then considering the Disposition which the *French* were in, the Legates thought it would be very difficult to make that Proposition to them : So they resolved not to make it themselves, but to employ the Cardinal of *Lorraine* about it ; flattering him, with saying, That if he could get the *French* Ambassadors to consent to it, he would do a great Piece of Service to the Pope ; whose Support and Good-will, it was his Interest to seek after, in the present Posture of the Affairs of his Family in *France*, which was fallen from that high Degree of Fortune and Greatness which it enjoy'd before the Peace was made with the Hereticks, the Chief of whom were sworn Enemies to his Family. The Cardinal of *Lorraine* suffered himself to be won by these Speeches of the Legates ; and so he disposed, or, to say better, forced the Ambassadors to consent to this Accommodation : To which also, the Archbishop of *Granada* obliged the *Spanish* Ambassador to acquiesce ; remonstrating to him, That he would thereby obtain all that he could pretend to : First, Because he did not yield to the *French* Ambassador : Secondly, Because they gave him an honourable Place in all Assemblies, which shew'd a Concurrence between the two Crowns.

The Legates were extremely pleas'd at this Accommodation ; especially when they saw, by the Copies of the Speech which *Du Ferrier* intended to speak the Day of the Protestation, which had been dispersed about, to what Extremity the *French* had carried it ; and how the Pope was there treated. In that Discourse which was printed, *Du Ferrier* said, ' That the Council being called at the Instance of *Francis I.* and *Charles IX.* the Ambassadors of *France* were troubled that they were constrained either to retire, or to suffer the Dignity of their Prince to be affronted : That his Rank was known by all that had read the Histories of the Church of *Rome* ; and that the Acts of Councils were Evidences of the Places which his Predecessors had held : That in former general Councils, the Ambassadors of his Catholick Majesty had always gone after those of the Most Christian King : That since that, Men offered at making an Innovation, which did not proceed from the Fathers of the Council, who would never have disturbed any Prince in his Possession, if they had been free ; nor from the King of *Spain*, who was so nearly join'd in Friendship and Relation with their Master ; but from the Father of all Christians, who had given his eldest Son a Stone instead of Bread ; and instead of a Fish, a Serpent, the Bite whereof had wounded the King and the *Gallican* Church at once : That *Pius IV.* sow'd Discord and Disturbance between Kings who lived in Peace ; changing, by Force and Injustice, the Order of the Session of the Ambassadors, which had been observed in all Ages, and lately in the Councils of *Constance* and *Basil*, that he might shew himself su-

perior to the Council : That it was not in his Power to break the Friendship of the two Kings, nor abolish the Doctrine of the Councils of *Constance* and *Basil*, which give the Councils the Superiority : That St. *Peter* never meddled with worldly Concerns ; but that *Pius*, instead of imitating him, pretended to regulate the Honours and Prerogatives of Kings : That divine, humane, and civil Laws, always made a Distinction of the eldest Son, whilst the Fathers were alive, and after they were dead ; but that *Pius* refused to prefer the eldest of all Kings before those, who were not born till many Ages after him : That God, for *David's* sake, would not lessen the Dignity of *Solomon* : That *Pius*, without reflecting upon the Benefactions of *Pepin*, *Charles*, and *Ludovicus Pius*, and their Descendants, pretended by his Decree to take away the Prerogatives of the Successor of those great Kings : That, against all the Laws of God and Man, their King was condemned, without hearing of his Cause : That he robbed him of the Rank which he had possessed for so many Ages, and at once oppress'd the Fatherless and the Widow : That the ancient Popes never did any thing without the Approbation of general Councils, when any were held ; and that *Pius*, on the contrary, was for displacing the Ambassadors of an Infant King, and uncited ; and Ambassadors too, who were not sent to him but to the Council, without consulting with the Fathers who represented the universal Church : That he did not command the Legates to keep their Orders secret upon Pain of Excommunication, but only, that the *French* might have no Way to help themselves ; That the Fathers might judge, whether these were the Actions of St. *Peter* and of other Pontiffs ; and whether the Ambassadors of *France* were not obliged to leave a Place, where *Pius* left no Authority to the Laws, nor Liberty to the Fathers, to whom nothing was proposed but what came from *Rome* : That they had a Veneration for the Apostolick See, the Sovereign Pontiff, and the holy *Roman* Church ; but they protested against *Pius*, whom they did not own as a Vicar of Jesus Christ : That they should always bear a great Respect to the Fathers at *Trent* ; but that since all the Decrees which are made there, rather come from *Pius* than from the Council, *France* would never receive them as Decrees of a general Council. Last of all, he commanded, in the King's Name, the Bishops and Divines, his Subjects, to withdraw, in order to return, when God shall have restored to general Councils the ancient and full Liberty, and to his King the Place which belonged to him.

The Difference between the Ambassadors of *France* and *Spain* being thus adjusted, the Legates thought of nothing but holding the Session, the Time of which drew nigh ; and, to avoid Debates, they proposed to the Cardinal of *Lorraine*, to omit the Articles of the Institution of Bishops, and the Authority of the Pope. This the Cardinal of *Lorraine* not only consented to, but also assured the Legates, that the *French* did not demand to have those two Articles decided ; and promised to make the *Spaniards* desist from the Pursuit which they had hitherto made. At the same time the Emperor's Ambassadors received Orders from his Imperial Majesty, so to manage it, that the Pope's Authority might not be mentioned in the Council ; lest, if any thing should be determined too much in Favour of him, it might make an Accommodation with the Protestants more difficult.

The Legates were very well pleased with this Order of the Emperor's, as also with the Promises of the Cardinal of *Lorraine*, who in truth kept his Word with them ; for he so well knew how to manage the *Spaniards*, by representing to them that they ought not in Conscience to be the Causes of evil, by a too vehement pursuit after a Good which they knew they could never obtain : That it was enough

Du Ferrier's Discourse concerning the Contest about Place.

Articles of the Institution of Bishops, and of the Authority of the Pope omitted.

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 enough that they hindred the Mischief which others would have done the Truth, by establishing false Opinions: That if they could not do all that they desired, they ought to hope, that, by the Assistance of God, they should make more Progress afterwards: That none but the Archbishop of *Granada* and the Bishop of *Segovia* stood firm, who were positive for having Institution and Residence of Bishops to be decided to be of divine Right.

Lively Answer of Danez.
 July 9. general Congregations began; in one of which, the Bishop of *Verdun*, *Nicholas Psalme a Benedictine*, happen'd, in giving his Opinion, to say something very sharp against the Court of *Rome*. Thereupon *Sebastian Vanzius*, Bishop of *Orvieto*, turning towards some of his Brethren, said, *Nimium cantavit Gallus*; upon which *Peter Danez*, Bishop of *Lavaur* replied aloud, *Utinam ad hujus Galli cantum resipisceret Petrus & fletet amare*, which was so lively, so just, and so ready a Repartee, that it surprized the whole Assembly.

Last general Congregation before the Session.
 The Eve before the Session, there was a general Congregation. Cardinal *Morone* asked the Fathers, if they were willing that the Cardinals should be mentioned, and particularly their Age, in the Chapters of Residence, and of a proper Age wherein to be ordained. Few Fathers were for it, most of them saying, that since the Hat was seldom given to any young Men, unless they were Princes, it was needless to make a Decree about it, since it is not an Abuse to give the Hat to young Princes, because they do Honour to the Dignity of Cardinals when they accept of it. After that, the Decrees were read, which were agreed to by the Majority; and it was concluded, that the Session should be celebrated next Day. *Morone* thank'd the Fathers who had allow'd of the Decrees, and conjured the rest to join with them. He desired the Count *de Luna* to use his Credit with the Prelates of his own Nation, to persuade them to consent. In talking with that Minister after the Congregation was over, he promised him, that if they would once consent, that the papal Power should be explained according to the Form of the Council of *Florence*, the Institution of Bishops should be declared to be of divine Right. That Evening, the *Spaniards* being met at the Count *de Luna's*, after several Discourses, resolved to agree to them all, relying upon the Promise of the Legates.

Opening of Session XXIII.
 July 15. the Fathers went very early to the cathedral Church with the usual Ceremonies: The Bishop of *Paris* said Mass, and the Bishop of *Alifa*, or *Cittadi-Castello*, preached. The *French* were offended that he named the King of *Spain* before the King of *France* in his Sermon: The *Poles* also thought themselves injured that their King was named after the King of *Portugal*; and the *Venetians* murmured that he set the Duke of *Savoy* above them. He insinuated also in his Sermon, that the Council was a Continuation of that which was held under *Paul III.* and *Julius III.* At this the Imperialists and *French* seemed to be very much discontented; however, none of the Ministers stirred at that time, because they would not disturb the Ceremony; but next Day the Ambassadors of *France*, *Poland* and *Venice*, prayed the Legates to hinder the Printing of the Bishop of *Alifa's* Sermon, and not to suffer it to be inserted into the Acts of the Council. When the Mass and the other Prayers were finished, they read the Bulls of the Legation of the Cardinals *Morone* and *Navaggi-ero*; the Letters of Credence of the King of *Poland's* Ambassadors, and of the Duke of *Savoy's* Ambassador; the Letters of the Queen of *Scots*, with the Credentials of the Count *de Luna*: And then the following Decrees were read.

Chapters of Session XXIII.
 Chap. I. Sacrifice and Priesthood are by the Order of God so united, that we find them in the Old and in the New Law. Since therefore the Catholick Church has received in the New Testament, by the Institution of Jesus Christ our Lord, the visible Sacrifice of the Eucharist; we are obliged to ac-

knowledge that there is in the same Church a new, visible and outward Priesthood, into which the old one has been translated: The Holy Scriptures also shew us, what the Tradition of the catholick Church has always taught, that this Priesthood was instituted by the same our Lord and Saviour, and that he has given his Apostles, and their Successors in the Priesthood, a Power of consecrating, offering and administering his Body and Blood, as also of remitting and retaining Sins.

Chap. II. Now since the Function of so holy a Priesthood is a Matter wholly divine, to the end that it might be performed with more Dignity and Respect, it was thought advisable, that for the good Order of the Church, which is wise in all its Conduct, there should be several and different Orders of Ministers, whose Duty it should be to serve at the Altar; that so, as it were by steps, those who have first received the clerical Tonsure, should afterwards ascend by the lesser to the greater Orders: For the Holy Scriptures do not only mention Priests, but they speak also very plainly of Deacons, and do very directly tell us what is principally to be regarded in their Ordination. We see also, that from the Beginning of the Church, the Names of the following Orders were in use, as well as the Functions proper to every one of them; namely, the Orders of *Subdeacon*, *Acolyth*, *Exorcist*, *Reader* and *Porter*, tho' in different Degrees; for the Fathers and holy Councils place the *Subdeaconship* among the greater Orders, and yet they very often speak of the other lesser ones.

Chap. III. It being evident by the Testimony of the Holy Scriptures, the Tradition of the Apostles, and the unanimous Consent of the Fathers, that by virtue of that holy Ordination, which is performed by outward Words and Signs, Grace is conferred; no Man ought to doubt, that Order is truly and properly one of the seven Sacraments of the holy Church: For the Apostle says, *I put thee in Remembrance, that thou stir up the Gift of God which is in thee, by the putting on of my Hands; for God hath not given us the Spirit of Fear, but of Power, and of Love, and of a sound Mind.* 2. Tim. 1. 6, 7.

Chap. IV. Now since in the Sacrament of Order, as well as in Baptism and Confirmation, there is a Character imprinted, which can neither be blotted out, nor taken away: The holy Council does with Reason condemn the Opinion of those that maintain, that the Priests of the New Testament have only a temporary Power; and that after they have been once rightly ordained, they can become Laymen again, if they cease to exercise the Ministry of the Word of God: If any one also will assert, that all Christians without distinction are Priests of the New Testament, or that they have all in themselves an equal spiritual Power; he seems only to confound the ecclesiastical Hierarchy, which is compared to an *Army with Banners*; as if against St. *Paul's* Doctrine, all were Apostles, all Prophets, all Evangelists, all Pastors, or all Doctors. The holy Council therefore declares, that besides the other ecclesiastical Degrees, Bishops, who succeeded into the Place of the Apostles, principally belong to this hierarchical Order; that they are appointed by the Holy Ghost to govern the Church of God, according to the same Apostle; that they are superior to Priests, and confer the Sacrament of Confirmation, ordain the Ministers of the Church, and can exercise several other Functions, which those of an inferior Order have no Power to exercise. The holy Council teacheth besides, that towards the Ordination of Bishops, Priests, and other Orders, the Consent, Vocation or Authority of the People, or of any other secular Magistrate or Power whatsoever, is by no means so required, as that without it the Ordination shall be made null; but on the contrary it declares, that those, who being chosen and settled by the People only, or by any other secular Power or Magistrate, attempt to exercise these Offices, and that those who of them-

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Canons
of Session
XXIII.

Canon I. *If any one says, there is no visible and outward Priesthood in the New Testament, or that there is not a certain Power of consecrating and offering the true Body, and the true Blood of our Lord, and of remitting and retaining Sins; but that it is only an Office, and a bare Ministry of preaching the Gospel, or that those who do not preach are in no wise Priests: Let him be Anathema.*

Canon II. *If any one says, that, besides the Priesthood, there are no other greater and lesser Orders in the catholick Church, by which, as by certain steps, Men go up to the Priesthood: Let him be Anathema.*

Canon III. *If any one says, that Order or holy Ordination is not truly and properly a Sacrament, instituted by our Lord Jesus Christ, or that it is a human Contrivance invented by Men who were ignorant of ecclesiastical Affairs, or that it is only a particular Rite of choosing Ministers of the Word of God and of Sacraments: Let him be Anathema.*

Canon IV. *If any says, that the Holy Ghost is not given by holy Ordination, and consequently that Bishops pronounce those Words, Receive ye the Holy Ghost, in vain; or that by the same Ordination there is no Character imprinted; or that he, who has been once a Priest, can again become a Layman: Let him be Anathema.*

Canon V. *If any one says, that the holy Unction which the Church uses in holy Ordination, is not only not requisite, but ought to be despised, and is pernicious as well as the other Ceremonies of Order: Let him be Anathema.*

Canon VI. *If any one says, that in the catholick Church there is no Hierarchy established by the Order of God, composed of Bishops, Priests, and Ministers: Let him be Anathema.*

Canon VII. *If any one says, that Bishops are not superior to Priests, or have no Power to confer Confirmation and Orders; or that the Power which they have is common to them with the Priests; or that the Orders which they confer without the Consent or Vocation of the People, or of the secular Power, are null; or that those who are neither lawfully ordained nor sent by the ecclesiastical or canonical Power, but come from another Place, are however lawful Ministers of the Word of God, and Sacraments: Let him be Anathema.*

Canon VIII. *If any one says, that Bishops, appointed by the Authority of the Pope, are not true and lawful Bishops, but that it is a human Invention: Let him be Anathema.*

The same holy Council of Trent, going on with the Matter of Reformation, has resolv'd to decree, and by these Presents does decree as followeth.

Chap. I. All those who have the Care of Souls, being obliged by a divine Command to know their Sheep, to offer Sacrifices for them, and to feed them with the preaching of the Word of God, by the administering of Sacraments, and by the Example of all sorts of good Works; as also to have a paternal Care of the Poor, and of all other afflicted Persons, and to apply themselves incessantly to all other pastoral Duties: And it not being possible that those should perform and fulfil these Duties, who neither are with, nor watch over their Flocks, but forsake them as Hirelings: The holy Council admonishes and exhorts them, that they, being mindful of God's Command, and being them-

The History of the Council of Trent. selves an Example to their Flocks, may govern and feed them in Judgment and Truth: And lest those Things which have formerly been holily and usefully ordain'd under Paul III. of happy Memory concerning Residence, should be wrested to a Sense very different from the Mind of the holy Council, as if, by vertue of that Decree, Men might be absent five whole Months together: The holy Council pursuant thereunto does declare, that all those, who by any Names or Titles are entrusted with the Government of patriarchal, primatical, metropolitical or cathedral Churches of any sort, even tho' they be Cardinals of the holy Roman Church, are obliged to personal Residence in their Churches and Dioceses, and there to satisfy all the Duties of their Charge, and in no case to be absent from them, but upon the following Causes and Conditions. For since Christian Charity, urgent Necessity, due Obedience, and the manifest Advantage of the Church and State, do sometimes require and exact that some should be absent; the same holy Synod does in these Cases decree, that such lawful Causes of Absence shall be allowed in Writing by our most holy Father, or the Metropolitan, or, in his Absence, by the most ancient residing Suffragans in the Province; who also shall be obliged to signify his Approbation of his Metropolitan's Absence, unless when such Absence shall happen upon the account of some Office and Employment which is annexed to the Bishopricks themselves: For these Causes are evident to all the World, and sometimes suddain, so that there will be no need of giving notice about them to the Metropolitan, who also will judge himself in a provincial Council of the Permission granted by himself or his Suffragans, and take care that no Man abuse this Liberty; and that those that shall offend, shall be punished as the Canons shall require.

Now as to those who shall be obliged to be absent, they shall take care so to provide for their Flocks before they leave them, that they may suffer by their Absence as little as is possible: But since those who are absent but a little while, are not in the Sense of the ancient Canons look'd upon as absent, because they are quickly to return again; therefore the holy Council wills and intends, that, setting aside the abovementioned Cases, this Absence shall never exceed two or three Months at farthest in one Year, whether they be reckon'd at once, or by Pieces; and that here too, regard shall be had, that it be for a just or reasonable Cause, and that the Flock suffer no Damage by it; which the holy Council leaves to the Consciences of the Absentees, hoping they will fear God, and have a regard to Religion, since all Mens Hearts are open before God, and they are obliged, at their own Perils, not to do the Work of the Lord negligently; advising them in the mean time, and exhorting them in the Lord, never to be absent from their cathedral Churches during the Seasons of Advent and Lent, nor upon the Festival Days of Christmas, Easter, Whit Sunday, and of the Holy Sacrament; at which Times particularly, the Sheep ought to be refresh'd and comforted in the Lord by their Pastors Presence, unless their episcopal Duties call them to some other part of their Dioceses.

If any one therefore, which God grant may never happen, shall be absent contrary to the Disposition of this Decree, the holy Council, besides the other Penalties enacted and renew'd under Pope Paul III. against Non-residents, and besides the Guilt of mortal Sin so incurr'd, declareth, that he hath no Propriety in the Revenues which shall be during his Absence, and that, even without any subsequent Declaration, he cannot with a safe Conscience detain them, but is obliged to lay them out upon the Fabrick of the Churches, or the Poor of the Place, which is to be done in his Default by his ecclesiastical Superior, with express Prohibition to make or pass any Agreement or Composition, which in these Cases, is usually called, a Convention for Profits ill received; by means whereof, all, or some part of those Profits, may be

Decree
of Reformation
of Session
XXIII.
concerning
Residence.

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be remitted, and Privileges granted to any College or Fabrick whatsoever, to the contrary notwithstanding.

The same Holy Council also declareth and ordaineth, that all these same Things, so far as they relate to Guilt, loss of Profits or Penalties, ought to take Place as to the inferior Clergy, and all others who possess any Ecclesiastical Benefice whatsoever, having cure of Souls; but however in such manner, that if any of them shall at any time be absent upon any Account, of which the Bishop shall be informed, and shall approve beforehand, they shall be obliged to put a capable Vicar in their Place, who shall be approved of by the Ordinary, to whom they shall allow a reasonable and sufficient Salary. This Permission of Absence shall be given in Writing, and *Gratis*, and shall not be granted for more than two Months, unless it be for some important Reason.

And if, when they are cited to appear, though not Personally, they shall be contumacious; the Holy Council willeth and declareth, that Ordinaries shall be at their Liberty to compel them, and to proceed against them by Ecclesiastical Censures, Sequestration and Subtraction of Profits, and by other legal Methods, even as far as Deprivation; nor shall the Execution of this Decree be suspended by any Privilege whatsoever, Permission, Right of being a Menial Servant, or Exemption, though upon the account of any manner of Benefice, or by any Agreement or Statute, though confirm'd by an Oath, or any other Authority, or even by an immemorial Custom, which in that Case ought rather to be look'd upon as an Abuse; nor by any Appeals or Prohibitions even of the Court of *Rome*, or by virtue of the Constitution of Pope *Eugenius*. Last of all, the Holy Council ordains, that both this Decree, and that made under *Paul III.* shall be publish'd in Provincial and Episcopal Councils; wishing extremely, that Things so nearly concerning the Pastoral Care, and the good of Souls, were often repeated, and deeply engraven in the Minds of Mankind; that so, through Gods Assistance, they may never hereafter be abolished through the injury of Time, the forgetfulness of Men, or for want of Use.

Of the Consecration of Bishops.

Of Ordination.

Chap. II. Those that shall be set over Cathedral or Superior Churches, whatsoever their Names or Titles be, even though they should be Cardinals of the Holy *Roman* Church, shall be obliged, if they be not consecrated in three Months, to restore the Profits they shall have received; and if they shall neglect to have it done for three Months more, they shall be deprived of their Churches, *ipso jure*. If the Ceremony of their Consecration be not performed in the Court of *Rome*, it shall be done in that very Church to which they shall be promoted, or in the same Province, if it can be done conveniently.

Chap. III. Bishops shall confer Orders themselves; and if they shall be hindered by Sickness, they shall give no Letters Dimissory to any under their own Charge, to be ordained by any other Bishops, unless they have been examined and approved.

Chap. IV. Those that have not received the Sacrament of Confirmation, and been instructed in the Rudiments of the Faith, shall not be received to the first Tonsure; nor those that cannot write and read, and of whom there is not a probable conjecture that they did not choose this sort of Life fraudulently to withdraw themselves from the Secular Jurisdiction, but to render faithful Service unto God.

Chap. V. Those that shall offer themselves to go into the lesser Orders, shall have a Testimonial from their Parish-Priest, or the Master of the School with whom they have been Educated; and for those that shall aim at the greater Orders, they shall go a Month before their Ordination to the Bishop, who shall give a Commission to the Parish-Priest, or any other whom he shall judge most convenient to set up their Names publicly in the Church, without their Desire to go into Orders, and to inform himself by Persons of Credit, of their Birth, Age, Good Life and Manners; and he shall transmit Letters Testi-

monial, containing the Inquisition which he has made, to the Bishop as soon as possible.

Chap. VI. No tonsured Clerk, tho' he has received the four lesser Orders, can hold any Benefice before he be fourteen Years of Age; nor can he enjoy the Privilege of Jurisdiction, unless he have some Ecclesiastical Benefice, or serves in some Church by the Bishop's Order, and so wears the Clerical Habit and the Tonsure, or lives in some Ecclesiastical Seminary, or in some School or University by the Bishop's leave, as it were, in the way to receive the greater Orders.

As to the Married Clergy, the Constitution of *Boniface VIII* beginning *Clerici qui cum uniceis*, shall be observed; provided that these same Clerks, who are appointed by the Bishop for any service or Functions in any Church, do actually serve in it, and perform their Functions in their Clerical Habit and Tonsure; any Privilege or Custom, tho' it be immemorial in favour of any Person whatsoever, to the contrary notwithstanding.

Chap. VII. The Holy Council, pursuant to the ancient Canons, doth ordain, that when any Bishop shall resolve to confer Orders, he shall cause all those who shall have a mind to engage in that Sacred Ministry, to be summoned to the City upon the Wednesday foregoing, or what other Day he shall think good; and there, being assisted with some Presbyters and other prudent Persons versed in Sacred Letters, and of experience in the Constitutions of the Church, shall carefully and exactly examine into the Family, Person, Age, Education, Manners, Doctrine and Faith of all those who are then to be ordained.

Chap. VIII. Holy Orders shall be publicly conferred at the Times appointed by the Law, and in the Cathedral Church, in the Presence of the Canons, who shall be called in for that purpose; and if the Ceremony be performed in any other part of the Diocese, the Principal Church shall always be chosen for that purpose, and the Clergy of the Place shall be always present: Every Man shall be ordained by his own Bishop, and if any Man desires to be ordained by another, he shall not have leave under any pretence of a general or special Rescript, or of any Privilege whatsoever, to be ordained even at the appointed times, unless his Ordinary should first give a Testimonial of his Probity and Manners; otherwise the Person that shall have ordained him, shall be suspended from giving Orders for one Year; and the Person ordained from exercising the Orders which he shall have received, for as long time as his own Ordinary shall judge convenient.

Chap. IX. No Bishop shall give Orders to any Officer of his House, if he is not of his Diocese, unless he has lived with him three Years, and at the same time he shall be obliged to provide him really, and without Fraud, with some Benefice; any Custom, even immemorial, to the contrary notwithstanding.

Chap. X. No Abbots for the future, or other exempted Persons of whatsoever Nature, who are settled within any Diocese, even though they be said to be of no Diocese, but exempted, shall be allowed to confer the Tonsure, or the lesser Orders to any Man who is not a Regular, and under their own Jurisdiction. The same Abbots or exempted Persons, be they Colleges or Chapters, even of Cathedral Churches, shall give no Letters Dimissory to any Secular Ecclesiasticks to be ordain'd by others: But the Bishops, in whose Dioceses they shall be, shall ordain all the Secular Clergy, observing every thing which is contained in the Decrees of this Council; all Prescriptions, Privileges and Customs, even immemorial, to the contrary notwithstanding. The Holy Council also ordaineth, that the Penalties enacted against those, who, during the Vacancy of an Episcopal See, shall obtain Letters Dimissory from the Chapter, against the Decree of this Holy Council made under *Paul III.* shall be in force also against those who shall get like Letters Dimissory, not from the Chapter, but from any other Person whatsoever, who shall pretend to succeed in the Place of the Chapter to the Episcopal Jurisdiction,

The History of the Council of Trent. Jurisdiction, during the Vacancy of the See; and those who shall give such Letters Dimissory against the Form of this Decree, shall be *ipso jure* suspended *ab Officio & Beneficio* for one whole Year.

Chap. XI. Lesser Orders shall be given to none but those that understand the *Latin* Tongue at least, observing between each Order the proper Distances of Time, which they call *Interstices*, unless the Bishop shall think it advisable to act otherwise; that so they may be better instructed in the Importance of that Profession. They shall also, according to the Direction of the Bishop, employ themselves in every Office and Function of their Order in the Church where they shall be settled, unless perhaps they be absent upon the Account of their Studies; and thus they shall ascend gradually, that so, with Age, they may grow in Virtue and Knowledge; of which they shall give certain Proofs, by their good Behaviour, their Constancy in the Service of the Church, the Respect and Deference which they shall still pay in greater Degrees to Presbyters, and those in superior Orders, and by a more frequent receiving the Body of our Lord: And as these lesser Orders open a way to the highest Degrees, and the most sacred Mysteries; so no Man shall be admitted to them, unless he shall give Reason to hope that his Capacity will one Day make him worthy of the greater Orders: nor shall any Man be promoted to sacred Orders, until he has been a full Year admitted to the last Degree of the lesser Orders, unless the Necessity and Interest of the Church shall otherwise require; of which, the Bishop is to be the Judge.

Chap. XII. No Man shall be ordained Subdeacon for the future before he be twenty two Years old; nor Deacon before he is twenty three; nor Priest before he is twenty five. The Bishops however ought to know, That every Man, who is of that age, ought not therefore to be put into Orders; but those only that are worthy, and whose approved Behaviour is instead of a riper Age. The Regulars also shall not be ordained under that Age, nor without a like Examination by the Bishop; all Privileges to the contrary being null, and of none Effect.

Chap. XIII. Those that shall be ordained Subdeacons and Deacons, must have a good Report, and have approved themselves well in the lesser Orders, and be sufficiently instructed in Letters, and in whatsoever relates to the Functions of the Order which they desire; they must promise also, That they hope to contain by God's Assistance; That they will actually do their Duty in that Church to which they shall be sent; and they ought to know, That it will be extremely decent for them upon *Sundays*, and other solemn Days when they serve at the Altar, to receive the holy Sacrament. Those that are already Subdeacons, ought not to be advanced to any higher Orders, till they have exercised the Functions of that Order for one whole Year at least, unless the Bishop shall think it advisable to act otherwise. The holy Orders shall not be conferred upon the same Day, not even to Regulars, any Privileges or Indults to the contrary notwithstanding.

Chap. XIV. Those who, having given Evidences of their Piety and Fidelity in the precedent Functions, are raised to the Order of Priesthood, ought in the first Place to have a good Report; and then to have served a full Year in the Office of Deacons, unless the Bishop shall think it necessary for the Interest and Advantage of the Church to proceed otherwise; they ought also, upon a diligent Examination, to be found capable of teaching the People what is necessary for the Salvation of all Mankind, and of administering the Sacraments; They ought also to be so eminent for Piety and strictness of Life, that a shining Example of good Works and suitable Instructions may be expected from them: The Bishops shall see that they celebrate the *Mass* at least upon *Sundays* and great Festivals; and if they have Cure of Souls, so often as shall be consistent with their Duty: Those that shall be promoted *per Saltum*, i. e. without receiving the inferior Orders, provided they have not per-

formed the Functions of those lesser Orders, may be dispensed with by the Bishop for just and lawful Causes.

Chap. XV. Though Priests at their Ordination receive a Power of absolving from Sins, yet the holy Council ordaineth, That no Priest, though he be a Regular, shall hear the Confessions of Seculars, though they be Priests; nor shall be capable of doing it, unless he has an actual Parochial Benefice; or, it when the Bishop shall think it necessary, they shall be judged capable by Examination or otherwise, and shall have the Bishops Approbation, which also shall be given *Gratis*; all Privileges and Customs, even immemorial, to the contrary notwithstanding.

Chap. XVI. Since no Man ought to be put into Orders, who is not looked upon by his Bishop to be useful or necessary to his Church; the holy Council, pursuant to the sixth Canon of the Council of *Chalcedon*, decreeth, That no Man shall be ordained for the future, that shall not immediately be put into the Service of that Church or Place of Devotion, for whose Necessity and Advantage he was ordained, and there do his Duty, and not wander about from Place to Place: And if he shall leave the Place assigned him, without a Licence from his Bishop, he shall be suspended from his Office. No strange Clergyman shall be received by any Bishop to celebrate the Divine Mysteries, or to administer the Sacraments, unless he brings Letters of Recommendation from his Ordinary.

Chap. XVII. That the Functions of the holy Orders, from that of Deacon down to that of Porter, which from the Apostles Times have been received with Edification in the Church, the Exercise of which has for some time been intermitted in several Places, may be revived according to the holy Canons, and may not be traduced by Hereticks as useless: The holy Council being very desirous to restore that ancient Custom, ordaineth, That those Functions shall not for the future be perform'd by any Persons that are not actually in those Orders; and it exhorteth all and every the Governors of Churches in the Lord, and commandeth them to take care as far as they conveniently can, That in the Cathedral, Collegial and Parochial Churches in their Dioceses, where the number of the People, and the Revenue of the Churches will allow, some part of the Revenue of the simple Benefices, or of what belongs to the Fabrick of the Church, if it be sufficient, or both, be set apart as a Salary for those that shall perform those Functions; and if they shall be negligent, they may be punished at the Discretion of the Ordinary, with the loss of part of their Wages, or even of all: And if there should not be enough unmarried Clergy to perform the Functions of the four lesser Orders, married Men may be substituted in their Places if they have lived well, and are capable of doing the Duty, provided they have not been twice married, and wear the Tonsure and the clerical Habit in the Church.

Chap. XVIII. Since young People are easily carried away with the Pleasures and Diversions of the World, if they be not well instructed; and since it is not possible, without the singular and powerful Protection of Almighty God, for them to persevere in ecclesiastical Discipline, if they be not formed to Piety and Religion from their tenderest Years, before vicious Habits entirely possess them: The holy Council ordaineth, That all Cathedral, Metropolitane, and Churches superior to these, according to their Abilities and the Extent of their Dioceses, shall be obliged to maintain and breed up piously, and to instruct in ecclesiastical Discipline, a certain number of the Children of their City and Diocese, or Province, if the Place will not afford enough, in some College which the Bishop shall choose near the Churches themselves, or in some Place which shall be convenient for that Purpose.

None shall be taken into this College, that is not at least 12 Years old, born in lawful Marriage, that can read and write tolerably well, and whose Temper and

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and good Inclinations do not promise that he will be a proper Person to spend his Life in the Service of the Church. The holy Council would have the Children of the Poor chiefly chosen; but however not excluding the Rich, provided they be maintained at their own Expence, and testify a Willingness to serve God and the Church.

These Children the Bishop shall divide into as many Classes as he shall think good, according to their Number, Age, and Progress in ecclesiastical Disciplines, and shall employ some of them in the Service of the Church, as he shall judge convenient; and shall keep others there to be instructed in the College, still taking care to put others in the room of those whom he takes out, that so this College may be a perpetual Seminary of Ministers for the Service of God.

And that they may be the more easily brought up in the ecclesiastical Discipline, they shall immediately upon their Entrance, and always afterwards, wear the Tonsure and the clerical Habit: They shall there learn Grammar, Singing, the ecclesiastical Calendar, and all that relates to good Learning; they shall apply themselves to the Study of the Scriptures, of ecclesiastical Books, of the Homilies of the Saints, of what relates to the Administration of the Sacraments, and especially of what shall be thought proper for them to learn, to make them capable to hear Confessions, and, in a word, of all the Ceremonies and Usages of the Church: The Bishop also shall take care, that they assist every Day at the holy Sacrifice of the Mass; that they confess at least once a Month, and receive the Body of our Lord Jesus Christ whenever their Confessor shall think it convenient; and that they be assistant upon all Holidays upon the Service of the cathedral Church, or of the other Churches of the Place.

All these things, and whatsoever else shall be necessary and convenient for this purpose, shall be regulated by the Bishop, assisted with the Advice of two, the most ancient and most experienced of his Canons; whom the Bishop shall choose as the Holy Ghost shall direct. By their frequent Visitations of these Colleges, they shall take care, that what they have once established, shall always be observed. Those that are perverse and incorrigible, and that disseminate evil Principles, they shall severely punish, even by Expulsion if need shall be; and removing all Impediments, they shall diligently take care of whatsoever shall in their Opinions be useful to preserve and increase so pious and holy an Institution. And because it will be necessary to raise a Fond for the building of this College; for the Salaries of Tutors and Servants, for the Maintenance of the Youth, and for all other Expences; besides what is already set apart in some Churches, and some other Places, for the Instruction and Maintenance of Youth, which, by this Decree, is appointed to be applied to this Seminary under the same Care of the Bishop: The same Bishops, by the Advice of two of their Chapter, one of whom shall be chosen by the Bishop, the other by the Chapter; and of two other Clergymen of the City, one of whom likewise shall be named by the Bishop, the other by the Clergy of the City; shall set aside a certain Part or Portion of the Revenues of the episcopal and capitular Demesnes, and of all Dignities, Parsonages, Offices, Prebends, Portions, Abbeys and Priories, even regular, of any Order, Nature or Quality whatsoever; and of Hospitals conferred either in Title or Administration, according to the Constitution of the Council of Vienna, beginning *Quia contingit*; and of all manner of Benefices, Regulars as well as others, under whatsoever Patronage they be, yea, tho' they be exempt; and also of those which are in no Diocess, or are annexed to other Churches, Monasteries, Hospitals or other Places of Devotion, which may pretend to be exempt; as also from the Fabricks of Churches and other Places, and

from all other ecclesiastical Revenues, even of other Colleges, provided however, that in such Colleges, there be no actual Seminaries of Scholars or Masters who are set aside for the publick Good of the Church: For these, the holy Council willeth and intendeth should be exempt, unless it be with relation to the superfluous Revenues which they may have left, after having creditably maintained their own Seminaries, Communities or Confraternities, which, in some Places are called Schools; as also of the Revenues of all Monasteries, excepting Mendicants, and of all Tithes possess'd by the Laity upon whatsoever Account, out of which ecclesiastical Subsidies are usually paid, or by military Men of whatsoever Order or Institution, excepting only the Brethren of St. John of Jerusalem, and some Part and Portion arising out of all these Revenues, shall be applied and incorporated into the same College: Some simple Benefices also, of what Quality and Dignity soever they be, as also Donatives or prestimonial Portions, as they are called, even before they shall become vacant, but without doing any prejudice to the Service of God, or the Rights of those that possess them, may be joined and united to this College; and these things shall take place, tho' the Benefices be reserved and appropriated to other Uses; nor shall such Unions and Applications be suspended, or any way hindred by any Resignation of these Benefices which may be made, or by any other way; but let the Vacancy be what it will, tho' made in the Court of Rome, they shall obtain their Effect, any Constitution to the contrary notwithstanding.

The Bishop of the Place may by ecclesiastical Censures and other legal Methods, and even by appealing, if he thinks it convenient, to the secular Arm for Help, constrain to the Payment of their Part and Portion of the Contribution, the Possessors of Benefices, Dignities, Parsonages, and of all and singular the abovementioned Revenues, not only for what relates to themselves, but also for the Share of the Contributions, which ought to be paid by the Pensions which they are obliged to pay out of their Benefices, only allowing them a Power, to stop, *pro rata*, so much out of those Pensions, as they are obliged thus to pay out; all Privileges, Exemptions, even such as seem to require a special Derogation, Customs even immemorial, Appeals or Allegations whatsoever, which may be urged in Barr of the Execution of this Decree, to the contrary notwithstanding: But yet when these Unions shall obtain their Effect, or that by any other Means the Seminary shall be totally or in part endow'd, then the Portion out of every Benefice, which shall be set aside and incorporated by the Bishop in the manner aforesaid, shall be remitted, either totally or in part, as the State of Things shall require.

But if the Prelates of cathedral Churches, and other Superiors, should neglect to establish and maintain these Seminaries, or refuse to pay their Portion, the Archbishop ought sharply to admonish the Bishop, and the provincial Council ought to reprimand the Archbishop and the other Superiors, and oblige them to see that all that is abovementioned be put in execution; and particularly to take care that this holy and pious Work be put forward as soon as possible, and wheresoever it can be effected. For the Accounts of the Revenues of this Seminary, the Bishop shall receive them once a Year, in the Presence of the two Deputies of the Chapter, and the two others of the Clergy of the City.

Moreover, that these Schools may be erected with as little Expence as possible, the Council ordaineth, that the Bishops, Archbishops, Primate, and other Ordinaries of Places, shall oblige and compel all that possess scholastical Dignities (a), and all others that hold any Places or Prebends, to which an Obligation of reading or teaching is annexed, to teach those that are to be instructed in those Schools, by themselves if

[(a) Scholastical Dignities (Scholasteria) are those that have the Office of teaching in any cathedral or collegiate Church annexed to them, *Virtute Officii*.]

they are capable, or else by proper Deputies, to be chosen by themselves, and approved by their Ordinary, and this under the Penalty of taking away of their Revenues. And if the Person whom they shall choose, shall not be thought worthy by the Bishop, they must name some Body, without leaving room for an Appeal; and if they shall neglect to do it, the Bishop shall do it without them.

The Bishop also shall prescribe what they shall teach: And for the future all these *Scholastical* Offices and Dignities shall be given only to Doctors, or Masters, or Licentiates in Divinity, or in the Canon Law, or to other Persons who can do the Duty themselves; otherwise the Provision shall be null and void, all Privileges and Customs whatsoever, even immemorial, to the contrary notwithstanding.

And if the Churches be so poor in any Province, that no Colleges can be settled in them; then the provincial Council, or the Metropolitan, with two of his oldest Suffragans, shall take care to erect in the Metropolitane Church, or in some other Church in the Province that shall be more convenient, one or more Colleges, out of the Revenue of two or more Churches, as he shall see convenient; in which

the Children of those Churches may be educated. On the contrary, in Churches which have large Dioceses, the Bishop may erect one or more Seminaries in the same Diocese, as he shall see convenient; but so as to be entirely dependant upon that which shall be erected and settled in the Episcopal City.

Last of all, if upon account of these Unions, or the Taxes, Assignments and Incorporations of these Portions, or upon any other account whatsoever, any Difficulty shall arise, which may hinder or disturb the raising or settling of any Seminary, the Bishop with the above-named Deputies, or the provincial Synod, according to the Custom of the Country, may, Regard being had to the Quality of Churches and Benefices, regulate and order all and every things which shall seem to be necessary and convenient for the happy Progress of the Seminary, to moderate also and augment as Occasion shall require.

The next Session was appointed to be upon Sept. 16.

The Decree concerning Residence did not pass unanimously; 11 Prelates demanded some Correction or Addition to be made to it; and *Campegius* openly contradicted it.

C H A P. XX.

The History of the Congregations of the Council of Trent, from Session 23. to Session 24. Decrees and Canons of that Session.

New way of examining Questions put in Practice.

THE Pope and Legates were extremely pleased to see a happy End of the foregoing Session, and they looked upon it as a Presage of the End of the Council, which was that they longed for. The Legates therefore, to hasten Matters, proposed to give the Articles of Faith which were left, concerning Indulgences, Invocation of Saints, Worshipping of Images, and Purgatory, to ten Divines; namely, *Lainez* and *Salmeron* for the Pope, two for *France*, (and there were not many more left) two for *Spain*, two for *Portugal*, and two Generals of Orders, who might give in their Report to the general Congregation of Fathers of what they had determined among themselves, without being obliged to hear the Disputes of the Divines, as they had done formerly. The Count de *Luna*, who was suspected to have a Design of keeping the Council still on foot, opposed this Proposition, and demanded that the Protestants might be once more invited to come to the Council. The Legates sent word of this to the Pope, the King of *Spain*, and the Emperor, that they might remove the Impediments which that Minister put to the Conclusion of the Council. The Pope complained of it to the King of *Spain's* Ambassadors at *Rome*; and wrote to his Nuncio in *Spain*, to complain of it likewise to his Catholick Majesty. In the mean time the Count de *Luna* solicited the Ambassadors of the other Princes at *Trent* to join with him, to prevent precipitating of Deliberations, and to desire that Matters of Discipline might also be committed to an equal Number of Persons chosen out of every Nation to be examined.

Impediments put by the Count de Luna to the Conclusion of the Council.

Complaints of the French Ambassadors.

Du Ferrier and his Colleague, the French Ambassadors, who were discontented at what pass'd last Session, went to the Legates and complained, 1. That there were no *Censings*, nor any *Peace* given at the Mass. 2. That the Protestation against the Place, which was given to the Count de *Luna*, was not read at the Session. To the first, the Legates replied, That having agreed with the Cardinal of *Lorraine* about what was done, they were surprized to see the Ambassadors of *France* complain. For the second, they excused themselves, saying, that since the Count de *Luna* did not demand his Protestation to be read, they did not think it advisable to read the Protestation of the French Ambassadors which came after it; and they gave both of them leave to print their Protestations along with the Session.

Urgency of the Pope to conclude the Council.

All this while, the whole Care of the Pope and of

Cardinal *Boromée* was to put the Council into a Condition of being quickly ended. To bring this about, they order'd the Legates to join with the Cardinal of *Lorraine* and the French, who laboured for a Conclusion; and to hasten every thing as much as ever they could, without waiting any longer for Answers from *Rome*.

July 12. The Canons relating to Marriage were proposed, which pass'd readily with a very few Exceptions; only the Canon concerning Divorces upon the Score of Adultery met with some Difficulty, because it was question'd whether it ought to be made with an *Anathema*. The *Anathema* was put in then, but the Canon was changed afterwards.

The Bishop of *Cortona*, Ambassador from *Florence*, was received in the Congregation which was held in the Morning, July 24. In that, in the Afternoon, the French Ambassadors desired, that Marriages contracted by the Children of the Family who are in their Parents Power, without their Consent, might be declared null. The same Day the Deputies gave in to the Fathers of the Council, Memorials of Abuses to be reformed relating to Matrimony.

The Questions relating to Marriage in general, were easily decided, and the Canons and Decrees were drawn up in the Congregations, which were held till the End of July. The Question which occasioned most Difficulty and Dispute, was that which related to clandestine Marriages, concerning which, Mens Opinions were divided. CXXXVI. according to *F. Paul*, or CXLIV. according to *Palavicini*, were for declaring them null; the others were of a contrary Opinion. Cardinal *Hosius* and *Simoneta*, were of the latter Opinion. *Morone* did not declare, and several Bishops spake very ambiguously. It was debated whether they should make a Decree like a Definition of Faith, or barely as a Law; and it was long disputed whether this Question included any Dogme, or was only a Matter of Discipline. The Decree was drawn up several times. In the first Draught it was set thus, *That for the future, Marriages contracted without three Witnesses, should be declared null, as the Council declares them to be by its Decree: That it declares also Marriages contracted by the Sons of the Family before they are eighteen Years old, and the Daughters before they are sixteen, without the Consent of their Parents, null.* August 17. this Decree was drawn up in the following Words.

The History of the Council of Trent.

Difficulties concerning the Canons of Marriage.

Demand of dissolving Marriages of the Sons of the Family.

Disputes and Opinions concerning clandestine Marriages.

The History of the Council of Trent. The Holy Council ordaineth, That all Persons who shall hereafter contract Marriages or Espousals without the Presence of three Witnesses, shall be incapacitated to contract such Marriages or Espousals, and that all that they shall do towards it shall be null; as the Council declares it to be by this Decree.

The Cardinal of Lorrain, who gave his Opinion first, July 24. declared for condemning the Opinion of Calvin, who taught, That the Bond of Marriage was dissolved, either by Difference of Religion, or by the wilful Absence of the Wife, or because the married People could not live together. His Proposition was approved at that time by forty Bishops, and accepted afterwards. He said besides, that he wished they would put into the Decree, that besides the other Solemnities, the Blessing of the Priest might be necessary to make the Marriage a Sacrament; and that since the Hereticks desired that their Ministers might bless their Marriages, it was much more reasonable that this should be practised in the Catholick Church, where there are true Ministers and true Priests. He added, that Marriages contracted by Children without the Consent of their Fathers ought also to be declared null, as it was set down in the Decree; only putting *Patrum* instead of *Parentum*. (b) This Law he said was conformable to the Law of Nature, and the Civil Law, which in this particular did not contradict the Episcopal and Synodical Constitutions.

Cardinal Madrucci was of a contrary Opinion. He said, he did not see what Necessity there was for the Church to alter a Practice which had been in use for so many Ages; that the Abuses ought to be reformed, by forbidding, under very severe Penalties, such Cases as render'd these Marriages mischievous.

John de Trevisa, Patriarch of Venice, not only went into this Notion, but asserted, that the Church had no Power to disannul such Marriages, because it could not make void a Sacrament, which had both Matter and Form; that the Essence of the Sacrament of Marriage consisted only in mutual Consent; that the Sacramental Quality could not be taken away where such Consent was had: And that it was contrary to natural Right, for the Marriage of two Persons who were of Age to have Children to depend upon the Fathers Will.

On the contrary, the Archbishop of Granada said, That since the Church had a Power to make void contracted and valid Marriages, such as that between a Believer and an Unbeliever; by a stronger Reason, it had much more Right over Marriages to be contracted; that it was certain it might throw in dissolving Impediments between Persons that were at Liberty to contract before, as it had already establish'd that of spiritual Affinity: That though Penance was a Sacrament, yet the Church took off the Efficacy from Absolution, if it was administred by a Priest that wanted Power, so that there was no doubt but the Church might make such a Law; and the Question now was only to enquire, whether it were proper to make it.

Castagna, Bishop of Rossano, without examining whether the Church had Power or not to make such a Law, declared, That it was not convenient to make it, lest Hereticks might take occasion to destroy the Sacraments; and because it had not been practised in former Ages, though they had the same Reasons of doing it. As to the young People, he shew'd that the Son of a Family, who is out of the Land, cannot have his Father's Consent; and consequently if he be forbidden to marry till he can obtain it, he will be exposed to a manifest Hazard of falling into Uncleanness.

Foscararo, Bishop of Modena, opposed this: He said, there is no Question but the Bodies of Men make a Part of the Commonwealth, and consequently are subject to its Laws: That before Marriage was

advanced to the Dignity of a Sacrament, the Commonwealth had Power over the Contract; that its being raised to be a Sacrament, could do no Prejudice to the Publick; nor could the Right and Power which it has of making Laws for the common Good be taken away; that the Necessity of making such a Law was evident; and that it ought to be added, that the Presence of the Priest is necessary.

The Bishop of Almeria said, That clandestine Marriages ought to be declared null: That the Church, by this Decree, made void no Sacraments; but only put in an Impediment which would prevent such Marriages from becoming Sacraments: He was not for declaring the Presence of the Priest to be necessary, nor for requiring the Witnesses to be worthy of Credit, because thereby the Validity of the Sacrament might be called in question.

Martinus Rithovius, Bishop of Ipres, said, That the Decisions of Councils ought to be built upon certain Foundations: That it was not certain that the Council had a Power of making clandestine Marriages void: That several Divines, and several Prelates denied it: and that those that affirmed it went upon different Grounds; consequently that the thing was obscure and doubtful: That before a Council defined any thing, Men ought to be well agreed. Then he produced several Reasons to obviate the Inconveniences which occur in such Sorts of Marriages, and shewed yet a greater Dislike to the Decree, whereby they would take away from the Sons of a Family a Power of marrying without the Consent of their Parents, saying, That this was a Means of exposing them to live in Libertinism.

Constantinus Bonellus, Bishop of Città di Castello, gave in his Opinion in Writing; in which he affirmed, that the Church had a Power of making clandestine Marriages null, by making void the Consent of the Parties out of a legal Presumption, that there was no such Consent upon such Occasions; however he was for making no new Laws about it, because it might give Men Opportunity of thinking that the ancient Laws and Usages were to be blamed. For the Prohibition of the Children of a Family from marrying without the Consent of their Parents, he said it was contrary to the Law of God: That Fathers and Masters had no Power over the Use of Sacraments: That clandestine Marriages, and those of Sons of Families, were oftentimes not only not null, but in themselves lawful; as, I. If a Daughter was hindered by the Violence of her Parents, from contracting Matrimony in the Face of the Holy Church. II. If Princes should command rich Parents, not to marry their Daughters without their Consent. III. If a young Woman should be corrupted with Promise of Marriage.

Sebastianus Vanzius, Bishop of Orvieto, disapproved of those Words in the Decree, in which it was said, That the Church had always forbidden clandestine Marriages under grievous Penalties; affirming, That all the Penalties which the Canons inflicted, were, as to the celebrating Priests, Deprivation from performing the Functions of the Priesthood; as to the Children, an Incapacity to enter into Orders; and as to the Contractors, Deprivation from their Benefices. He question'd also whether the Church had Power to void a clandestine Marriage when it was consummated, because it could not dissolve any Marriage that was not consummated.

Lastly, he affirmed, That tho' the Church had a Power of making such a Law, yet there was no need of doing it. Concerning the Marriages of Children of the Family contracted without the Father's Consent, he said, That the Respect due to Parents made them indecent; but that they were not null: And he quoted a Passage out of the Diet of Augsburg in 1548. which does not approve of the Opinion of those who are for declaring the Marriage of the Children of a Family contracted without their Parents Consent, null.

[(b) It is just the contrary in the Text; *En mettant néanmoins le nom de Parentum, plutôt que celui de Patrum.* But Palavacini's Words (from whom our Author takes this Speech of the Cardinal de Lorrain) shew, that he set this down in Haste. *Unum in*

hac parte Decreti mutandum proposuit nimirum cum hac auctoritas utrique Parenti tribuenda non esset, loco vocis Parentum diceretur potius Patrum. Palav. Hist. Conc. Trid. lib. XXII. cap. 4. sect. 6,]

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Gonzales de Mendoza Bishop of *Salamanca*, who went upon quite contrary Principles, said, That Man being a political Animal, it was fit that all his Actions should be subject to the civil Power, and directed to the common Good; that Marriage was a civil Contract, and so subject to the civil Power: And that as it was a Christian Contract, and the Matter of a Sacrament, it was subject to the ecclesiastical Power: That as Men's Alienation of their own Estates, even in a lawful way, is in some Cases made void by human Laws; so Bounds may likewise be put to the Power which Men have over their own Bodies, if the making use of that Power should be prejudicial to the Commonwealth: That we plainly see what Prejudice clandestine Marriages do to the Publick, since they cause infinite Disorders and Law-suits, and are at present become so common, that all Persons of Quality think it a Disgrace to be married any otherwise than clandestinely.

Francis Zamora, General of the Order of the Friars Minors, was of the same Opinion, and said, That he had heard out of [new] *Spain*, that the new Christians, under the shelter of these clandestine Marriages, had three or four Wives.

Laines opposed this Notion vehemently. He maintained, I. That clandestine Marriages were not sinful in their own Nature, because our first Parents were married in that manner; and the moral Divines think, they are lawful upon some occasions. II. That the Church never declared them void. III. That any Decrees to declare the Marriages of the Children of the Family null without the Consent of their Parents, would cause more Disorders than they would remedy. IV. That it being at least doubtful whether the Church has a Power to make such a Decree, its Authority ought not be hazarded.

They disputed long upon this Subject; namely, upon clandestine Marriages, from July 24. to the end of the Month; and upon the Marriages of the Children of the Family, from Aug. 11. to Aug. 13.

After many Debates, it was concluded, That this Article of clandestine Marriages should not be put into the Decree concerning Doctrine, but into that of Reformation. Instead of the Necessity of three Witnesses, the Presence of the Priest was put into the Decree; there was no more said concerning the Marriages of the Children of the Family; and then the Decree was drawn up, being approved by CXXXIII. Fathers of the Council, and opposed by LVI.

And that this Matter might be yet farther cleared, Divines of different Opinions were named to dispute against one another, before the Legates, Cardinals, Ambassadors and several Prelates. Those that opposed the Decree, which declared clandestine Marriages null, were, *Clemens Valenticus* a Venetian Dominican, Bishop of *Justinopie*; *Torrez*; *Salmeron* the Jesuite; *John le Pelletier*, a Doctor of the *Sorbonne*; and an English Doctor: Those that maintained it, were *Fo-rriero*, a Dominican; *Didaco Paiva* a Portuguese; *Vigor* and *Dupré*, Doctors of the *Sorbonne*; and *Peter Fontidonius*, a Divine of *Salamanca*. They began their Conferences upon Sept. 13. which came to nothing; both of them standing by their own Opinions, without coming to any Temper.

A Canon was also prepared, anathematizing those that said, That Marriages, when consummated, were dissolved by Adultery: But the Venetian Ambassadors remonstrated to the Council upon Aug. 12. that their Republick which possess'd the Islands of *Candy*, *Cyprus*, *Corfu*, *Zant* and *Cefalonia*, which were full of Greeks, who for several Ages allowed Men to put away their Wives in case of Adultery, and to marry others, was obliged to hinder them from being anathematized, and that therefore the Canon ought to be drawn up so, as not to touch them: They proposed a Form, in which it was said, That since the Greeks were not called, they were not comprehended in the Canon; but this was not approved: So instead of pronouncing an *Anathema* against those that said, That Marriages when consummated might be dissolved upon the Account of Adultery, they pronounced

an *Anathema* against those that did say, That the Church had erred, and does err, when it teaches that the Marriage-bond is not broken by Adultery. This Form pass'd, tho' the Bishop of *Leon* opposed it.

The other Articles of the Reformation of Abuses relating to Marriage, did not meet with so many Difficulties. There was some Debate about the IXth. Chapter, in which great Lords were forbidden to hinder their Subjects from marrying. *William Cassador* Bishop of *Barcelona*, shew'd, that there were some Cases in which Princes have a Right, and even Reason for the good of their States, to command or to forbid Marriages under certain Penalties. He was for having an Exception therefore made for lawful Causes. His Opinion did not pass; but however, it prevented the putting in the Names of the Emperor, and of Kings, into that Chapter.

The Legates had [formerly] presented to the Ambassadors XXXVIII Articles of Reformation: The Imperialists upon July 13. gave in their Answer, first in Writing, setting forth, 'That having read the Articles which were propos'd to them, they had added eight Articles for the present, saving to themselves a Power of adding others: That the Council ought to make a serious and unalterable Reformation of the Conclave: That ecclesiastical Revenues ought not to be alienated without a free and firm Consent of the Chapter, especially in the Church of *Rome*: That Commendams and Coadjutories with future Succession ought to be abolished: That Schools and Universities should be reformed: That provincial Synods should be required to correct the Statutes of all Chapters, and that those Synods should have a Power to reform Missals, Breviaries, Ceremonials, and Graduals: whereby, said they, we desire not only the Reformation of those of *Rome*, but also of those of all other Churches: That Seculars should not be cited to *Rome* at the first Instance: That Causes should not be called out of secular Courts into ecclesiastical ones, upon pretence of denial of Justice, without first examining whether what the Petitioners set forth, be true; and that there should be no Conservators in secular Causes.'

Their Observations upon the Articles were very many; these were the most considerable: 'That the Cardinals should be taken out of all Nations, that to the Pope might be chosen by Electors of every Country: That Regulations of Pensions, Reservations and Regresses might extend backwards as well as forwards: That the Privilege of kissing the Gospel [at Mass] might not be taken from the Emperor, and from Kings, whose Business it is to defend it: That it might be declared what those secular Affairs which were forbidden to Churchmen, were, that so they might not contravene what had been already determined by the Decree concerning Residence: That in the Article of not charging Churchmen, the Case of a War against Turks and other Infidels, should be excepted. Tho' these Propositions were hard enough, yet they did not so much disturb the Legates, as the Fear they were under, that the Diet at *Vienna* should make some extraordinary Demand to them, for changing the Ceremonies observed in the Church of *Rome*, or relaxing some Precepts which oblige only by positive Right.

Aug. 3. The French gave in also their Remarks, the Principal of which were, 'That the Number of Cardinals should be reduced to XXIV; That they should be chosen out of all the States of Christendom; That there should be but two out of one Diocese, and not more than eight of one Nation; that none should be made till they were thirty Years old; That the Brethren, or Nephews of Pope or Cardinals, should not be made Cardinals as long as they live; That they should be excluded from Bishopricks, in order to be always near the Pope; That since their Dignity was equal, the Revenue of them all might be so too; That no Clerk might hold above one Benefice; That the Distinction of simple Benefices, and Benefices with Cure of

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of compatible and incompatible ones, which was unknown before the Corruption of Manners, might be suppress'd; that those who had several Benefices, might in a limited Time choose which they would keep; that Resignations *in Favorem* might be entirely abolished; that the Prohibition of conferring Benefices upon those that do not understand the Language, may not be sufficient, since the Laws of *France* exclude all Strangers, without exception, from the Charges and Benefices of the Kingdom; that criminal Causes of Bishops may never be try'd out of the Kingdom, because it is an ancient Privilege of the Crown of *France*, that no Man can be try'd out of its Jurisdiction, tho' it be with his own Consent; that Bishops may be restor'd to a Power of absolving in all Cases, without exception; that in order to cut up all beneficiary Suits by the Roots, all Preventions, Resignations *in Favorem*, Mandates, *Gratia Expectativa's*, and other unlawful ways of obtaining Benefices, may be abolish'd; that the Prohibition of Churchmens meddling with secular Matters, may be explain'd in such formal Terms, that they may abstain from all Functions, which are neither sacred nor ecclesiastical, nor proper to their Character; that all Pensions may be abolish'd, even those already granted; that in Causes relating to the Right of Patronage in *France*, the ancient Custom of judging in the Possessor's Case, for him that was last in Possession; and in the Petitioner's Case, for him that has a lawful Title or a long Possession, may not be chang'd; that in all other ecclesiastical Causes, there may be no prejudice done to the Laws of *France*, which require the Possessor's Cause to be try'd by royal Judges, and the Petitioner's by ecclesiastical ones, but not out of the Kingdom; that none shall be Canons of Cathedrals till they be thirty five Years old; that they shall begin with the Reformation of the ecclesiastical Order, and publish the Decree the next Session; that what concerns the Authority of Kings and Princes be left to the Session following; and that then nothing shall be determin'd till what they have to propose in their Master's Name be heard, to whom they have written upon that Subject. But tho' they brought such nice Subjects upon the board, yet they affected to tell all Mankind indifferently, that so it might be spread about, that they would not much insist upon any thing, but what belong'd to the Rights of the Kingdom.

The *Venetian* Ambassadors demanded, that the *Chapter of Patronages* might be drawn up in such Terms, as might not prejudice the Rights of their Republick. The Ambassadors of *Florence* and *Savoy* desired the same thing.

At the same time the Emperor's Ministers receiv'd an Order to contrive it so with the Legates, that when the Catalogue of Books should be review'd, the *Recesses* of the Diets of the Empire, which *Paul IV.* had put among the prohibited Books, might not be named; and this Order was sent with some Sharpness, the Emperor saying, 'that it was very strange, that instead of meddling with the Affairs of the Church, the Fathers should give Laws to *Germany*, and give the Nation, which was govern'd by its own Diets, a handle to separate from the *Roman* Church. To this they were answer'd, that the Archbishop of *Prague*, who was the Head of that Congregation, knew very well whether they had meddled with that Matter or no; that the Emperor ought to trust his own Ambassador, who would be seconded by them, and by the Pope himself, in every thing which would be agreeable to his Majesty.

Aug. 7. the Count *de Luna* presented his Memorial, setting forth, that he was very well content with all the Articles that were proposed, only desired to have some Words chang'd, which he thought too obscure or superfluous. He ran over most of the things that were for encreasing the Authority of the Bishops, in Terms which seem'd rather to lessen than exalt it. He insist'd upon the Reformation of the Conclave,

and said, his Catholick Majesty desired it. He pray'd also, that those Articles which related to the secular Princes, might be remitted to another Session; and that when they had gone thro' the Points proposed, and given their Opinions upon them, the Legates would depute Fathers out of every Nation, to collect what they should judge necessary for the Reformation of their own Countries, that so all might pass to the common Satisfaction. Cardinal *Morone* reply'd, that they could not change the Order that was settled: Whereupon a great deal was said on both sides; the Count complaining of the Servitude the Council was under, and *Morone* maintaining, that no Man could say that he was debarred Liberty of Speech. The Count added, that he could not forbear saying, there had been great Murmurings in the Council, that the particular Congregations which had been held the foregoing Days, were Meetings called together only to extort Mens Votes. The Legates replied, that when Opinions were divided, they were to hear the Truth, and to pacify Differences, that so the Decrees might be unanimously receiv'd. So far is right, answers the Count: But then, why are all the *Italians* called, and only two or three *Spaniards*, and as many *Frenchmen*, who do not go along with their own Companions? Because, said the Legates, things ought to go in proportion, there being 150 *Italians* in the Council, whereas all those of other Nations are not above 60: Which Reason the Count accepted of. When he was gone, he told the *Spanish* Bishops pleasantly, that by the Beginning of the Legates Discourses, one would suppose that *nothing ought to be transacted nationally*, whereas by the End of them it appear'd, that *nothing was ever transacted otherwise*.

Next day, the Legates and the Cardinals held a Conference to examine the Ambassadors Reasons, and to put the Articles of Reformation into such a Form, as might be given in to the Fathers; as also to regulate the Order which they would have observ'd in speaking upon that Subject. The Cardinal of *Lorraine*, who minded nothing but the contenting of the Legates, pursuant to the last Orders which he receiv'd from *France*, to act in concert with the *French* Bishops to support the papal Interests, was not for having so many things proposed at a time, but only part of them: And that in order to hasten the Session, they should set aside the Points which were difficult to be decided; taking only those about which all the Fathers, or the generality of them, should agree; but especially that they should beware of proposing those Articles at first, which the Ambassadors were not agreed about.

Accordingly the Legates having, with some Bishops, examin'd the Ambassadors Propositions concerning Reformation, and having at their Request struck out 6 of the 38 Articles that were proposed, they gave them upon Aug. 21. to the Fathers to debate. The Cardinal of *Lorraine* held distinct Congregations with the *French*, to get them receiv'd: This pleased the Legates much, not only because they knew that that Cardinal aimed at the same thing with them, but also because they longed to have the Articles fitted to the general Taste, before they were debated in a general Congregation. The Archbishops of *Otranto* and *Tarentum*, and the Bishop of *Parma*, were ordered to examine them at their own Houses with their particular Friends, that they might contrive to give general Satisfaction. These Meetings which were held several Days, one after another, made the *Spaniards* and the other *Italians* murmur because they were not called; and they were very mutinous to have them pull'd down. The Archbishop of *Otranto* was told by the Count *de Luna*, when he went to pay him a Visit, that their secret Congregations were so grievous to the good Men in the Council, that he could not avoid acquainting his Master with them; but he had much rather there were no occasion of Complaint. That Archbishop reply'd, that that Method was taken only to remove any of the Difficulties, before the general Congregations were held. At that very Instant

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stant the Bishop of *Ischia* came to wait upon the Court from Cardinal *Morone*. The Count let him know likewise, that he was displeased at these Meetings, because he believed they minded nothing but starting of Difficulties, and setting some of the Articles aside in order to hasten the Session. However, the Legates, who chose rather to content the Prelates than the Ambassadors, corrected the Decrees according to the Remarks which had been made in the Congregations.

Just as they were proposing them to the Fathers, there came a Courier from the Emperor, with new Instructions; letting forth, that the Archbishop of *Prague* should earnestly desire the Legates not to propose the Reformation of the Princes till they had an Answer from his imperial Majesty, which was also desired by the Count *de Luna*. This perplexed the Legates extremely, for they saw on one side the Emperor and the King of *Spain* discontented as well as the *French*, and the Fathers on the other, who unanimously desired, that the Reformation might be done all at once. When they were met therefore at Cardinal *Navagerius's*, who was indisposed, they proposed, whether the whole Reformation should be postponed, or only the Chapter of Princes to content their Ambassadors? The Cardinal of *Lorrain* was for postponing only the Reformation of Princes; and this would willingly have been consented to, had they not been afraid, that the Prelates should think they would entirely lay it aside, and to take an occasion to cry out, both by themselves and in the publick Congregations. It was resolved however to satisfy the Ambassadors, and to postpone the Reformation of Secular Men, and to remove all Umbrage from the Bishops, to reserve at least half the other Articles, and those the most important, and to take their Opinions upon the rest, that so they might hold the Sessions, tho' they had no reason to question whether they could do it because of the Difficulties which they met with in the Matter of clandestine Marriages.

Sep. 6. The Legates proposed XXI Articles of Reformation, and declared that the Congregation should meet after next day. *Simoneta* and his Confidants labour'd all they could to form these Decrees with so much Nicety, that the Court of *Rome* might receive little Damage, and that the World might be satisfied who demanded a Reformation; the Ambassadors who solicited it, and, which was of much more importance, the Bishops, might be easy, without whole Consent they could not close the Council.

These had all but one Aim, which was, to enlarge their Power; and that they hoped to do, if three things pass'd.

I. That they might *Nominate to Benefices with Cure*, whereby they should have the Beneficiaries dependant upon them. This also would put down Reservations, and the other Rights of the Roman Chancery, and was very prejudicial to that Court, because it opened a way to deprive them of all Collations, and consequently to take from them one of their noblest Privileges. They found therefore an Expedient, which was to retain the Reservations, and to give the Bishops a Faculty of collating to Cures when they pleased, under pretence of Examination. Accordingly the 18th. Chapter was drawn up with that Precaution, as we see it; the Collation to Benefices being then given to Bishops, without any lessening the Profits of the Court of *Rome*.

II. That *Exemptions might be taken away*. The Bishops had received a good deal of Satisfaction already in that matter; and the 11th Chapter was added, to supply the rest. As for the *Exemption of Regulars*, the Bishops fancy'd they might obtain Contests to have them abolish'd, or moderated at least, that so the Orders might be subject to them in many things.

Ever since the beginning of the Year, a Congregation had been appointed at *Trent* for the Reformation of the Regulars; and this Congregation, in which the Generals of the Orders assisted, had made some good Regulations, and that without contradiction: For as to what appeared outwardly, the Regulars desired Reformation; and they thought it was for their

advantage that rigorous Statutes, and conformable to their Rules, the Practice of which is sometimes very different from the Letter, might be set down in Writing. But when it was to put the Question, whether the Exemptions should be moderated, and their Persons submitted at least in part to the Bishops; the Generals and all their Monks mutinied, and made Remonstrances to the Ambassadors of their own Princes, of their Usefulness to the Publick; that if there were any Abuses among them, they consented to any Reformation, and would cause it to be observed in their Houses, rather more rigorously than should be decreed; but that to submit their Convents to the Ordinaries, was quite to spoil their very Form, because the Prelates understood nothing of a Regular Life, nor of the Discipline which keeps it up. The Bishops said, that Privileges always tend to the detriment and transgression of the Law, and that it was no Innovation to revoke them, it was only to recall them to their just Estate. The Regulars replied, that their Exemptions were so ancient, that they could no longer be called a Privilege, but a common Right; that when the Monasteries were subjected to the Bishops, the Bishops and their Canons lived such Regular and Auster Lives, that they deserved to govern others; that if they would restore the ancient Usage, they ought to do it throughout; that if the Bishops would resume the way of living in those Times, the Regulars might return under their Directions; but that it was not just for the Bishops to govern them, till they were such Men as the Masters of a Regular Life ought to be.

The Ambassadors favoured the Monks, and the Legates protected them for the Pope's sake, who would have believed himself to have lost a powerful Assistance, if they had depended up any body but him. Some likewise of the Bishops thought their Reasons very good. This Dispute lasted several Days, and then sunk by degrees; the Bishops, who started it, discovering new Difficulties in it every Day.

III. The third Point was *Concerning the Secular Magistrates*, who, to preserve their Temporal Authority, would not suffer the Bishops to exercise that absolute Empire which they desired, not only over the Clergy, but also over the People. The Chapter of the *Reformation of Princes* which I mentioned already, and of which I shall say more in its place, was drawn up for that purpose. That, and some other Matters relating to it, had been reserved to another Session, because of the Difficulties which they found in it, and which might have caused some delay. This the Bishops looked upon as an Artifice. They complained, that when it was so necessary that the whole Church should be reformed, yet nothing was meddled with but the Abuses of the Clergy. The Legates, to pacify them, let them see, that many other things were deferred which ought to have been treated of; and assure them, that these things were postponed, only that they might proceed more maturely; that it was necessary that the Celebration of the next Session should be facilitated, because it was Preparatory to the following one, in which all that remained should be dispatched; and besides, that it was necessary to hold it, that the Council might be speedily finished, which the Pope press'd in all his Letters.

Martin Rojas, Ambassador from *Malta*, was received in the Congregation of the 7th. It had been deferr'd till that Day, because of the opposition which the principal Bishops made to his Precedence; saying, that it was not just that a Religious Order should take place of the whole Body of Bishops. But at last they consented, that he should be placed among the Ambassadors; only publishing in the Congregation, that this should not prejudice the Prelates Right, who pretended to Precedence. The Knight set forth, that his Great Master could not send him to treat sooner, because of the Report which went abroad of the Approach of the *Ottoman Fleet*, and of the Arch-Pirate *Dragut*. He conjured the Fathers to provide against the present Calamities of their Order, which was no idle Member of Christendom,

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Christendom, and to extirpate Heresies; promising, that the great Master and all his Knights should spare neither Lives nor Fortunes in that Quarrel: He gave an Account of the History of his Order, which he said was founded near four hundred Years before Godfrey of Boulogne went to the Conquest of the Holy Land. He mentioned the famous Exploits of his Predecessors, and said, That if the present Knights did not do the like, it was because they had been robbed of a great part of their Estates, tho' their Island was the Bulwark of Sicily, and of all Italy, against the Irruptions of the Barbarians. Lastly, he pray'd the Fathers to remember the Antiquity, Nobility, and the great Services of his Order, to cause the *Commanderies* usurped upon them to be restored, and to confirm their Privileges. The Promoter replied, That the Council receiv'd the great Master's Excuses, and would have great regard to what he desired. But tho' the Legates gave the Pope an Account of it, yet all they could get was, That he would take care of it in due Time and Place.

Remarks made upon the XXI Articles of Reformation.

In this and the following Congregations they gave their Opinions upon the XXI. Articles of Reformation proposed by the Legates; nothing pass'd there very remarkable. It is good however always to set down the principal Things, both for the Connexion of the History, and for the understanding of what is farther to be said.

Upon the *first Chapter*, which set forth, That Men were under an Obligation to choose the worthiest Men to be Bishops, they fell upon the Difficulty already urged, That the Hands of Kings and of the Pope would be too much tied up, if their Nominations were restrained to one single Person. The major part therefore were for saying, without making Comparisons, That Princes are oblig'd to provide their Churches with worthy Men. To this it was replied, That the Fathers had always used that way of speaking, that the most worthy ought to be preferred; because it was unjust to prefer a Man, tho' worthy and sufficient, to another of greater Merit. At last, these two Opinions were reconcil'd, by using the Words, *Worthy* and *more Worthy*, speaking of the first in positive Terms, and of the others in comparative ones, that so the Nomination might be esteemed free. The Decree therefore set forth, 'That Men are obliged to put in good 'and able Pastors, and that he sins mortally that does 'not choose those that are the worthiest and the most useful for the Churches. Words which in their natural Sense signify, That tho' Men are not ty'd up to one single Person, yet they are obliged to choose out of them those whom they shall judge the *most Worthy*, in Comparison with others.

Upon the *third Chapter*, there was some Difficulty concerning Archiepiscopal Visitations. The Archbishops would not bear any lessening of their Authority, and alledged Canons and ancient Custom; according to which, Suffragans swore Obedience to their Metropolitans, and received Correction from them. The Patriarch of Venice was one of the most zealous to maintain this Right. The Bishops on the contrary, especially the *Neapolitans*, defended themselves by Custom, which made them all equal, setting aside the Title. This Class being the most numerous, and being supported by the Legates, and the Creatures of the Pope, lest the Metropolitans should get too great Authority, and should make use of that, to lessen the Court of Rome, prevented the others from obtaining any farther Favour than a Power to visit in the Dioceses of their Province, when the Cause was approved in the provincial Synod. This they reckon'd as nothing; because a provincial Synod was always made up of several Bishops against one Archbishop, and so they foresaw that they should never have an Opportunity of Visiting.

The *sixth Chapter* related to the Exemptions of Canons from their Bishops: This the *Spanish* Bishops, and the Count de Luna, on their Behalf concerned themselves in; so there were divers Restrictions and

Applications made at several Times. But these the Bishops were not content withal; so it was left to another Session, as we shall say hereafter.

The *thirteenth Chapter* decreed in general, That no Benefice should be charged with a Pension exceeding one third of the Revenue, or the real Value, as had been practised at the time when these Pensions were introduced. But this did not please the Cardinal of Lorraine, some Benefices being so rich, that one could not say they were charged, tho' they paid two thirds; and others so poor, that they could not bear any Pension: From whence he concluded, that this Distribution was unjust, and that it would be better to forbid Pensions upon Bishopricks that were not worth 1000 Crowns, and upon Benefices not worth above 300 Livres a Year, and only charge the rest. This Opinion prevailed, and it pleased the Legates exceedingly, because of the absolute Liberty which it left the Pope over great Benefices. Those that desired some *Abatement* of the *Pensions* and *Reservations* of Revenues already imposed, and a Regulation of *Accesses* and *Regresses*, made very long Speeches: But the Difficulty of the thing put a full stop to it all, to avoid the Confusion which it was foreseen this would occasion; since many would have complained, that they would not have resigned their Benefices without these Conditions; besides those who, to obtain these sort of Graces, had compounded with the Apostolick Chamber, would have had great Reason of Complaint, if these Graces had been revoked without their being reimbursed, all Restitution being esteemed impossible. At last, every one found it was too much to remedy future Evils, without minding what was past.

The *fourteenth Chapter*, which forbade the Payment of any part of the Revenues for Collation, Provision, or Possession of Benefices, pleased the *French* mightily, who said this took away *Annates*. In truth, if one weighs the Words well, he cannot put any other Sense upon them. But the Event sufficiently shew'd, that the Court of Rome understood them otherwise.

Upon the *seventeenth*, which forbids a Plurality of Benefices, and allows Men to have two, in case one be not sufficient; some demanded, that it should be said, Provided the two Benefices were not above a Days Journey distant from each other, that so the Beneficiary might reside sometimes upon one, and sometimes upon the other: But this they could not obtain, nor did they much insist upon it, foreseeing that neither this Decree, nor this whole Chapter, would be executed upon any but those that were poor.

Tho' the *eighteenth* pleased them so far, as it gave the Bishops a Right of providing Parish-Priests; yet the *French* were displeased at the Form of Examination, because it did, seemingly at least, too much restrain the Authority of the Bishops. They said, The Concurrence of People that would offer themselves to be examin'd, would give too great a Handle for Ambition; that anciently Benefices were conferred upon those that shunned them; whereas this new Method would not only cause open soliciting for them, but Men now will even boast of their Merit.

Upon the *nineteenth*, the Bishop of Coimbra spake warmly against *Gratia Expectativa's*, saying, They tempted Men to desire, and even procure other Mens Deaths. As for *Mental Reservation*, he said, They were pure Robberies; and after all, that it were better to leave the Collation of all Benefices to the Pope, than to use such a Fraud, as that of laying weight upon a Thought never publish'd, and which it may be presumed never entered into Mens Heads, till after the Fact was over. *Simoneta* interrupted him, and said, it was proper to reprehend Abuses, when the Remedy was still to be ordered; but when it was prepared, and ready to be applied, they were only to consent to it without amusing themselves, with crying out ambitiously against the Evil.

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King of France's Letter concerning Reformation of Princes.

Sept. 11. The French Ambassador received Letters dated Aug. 28. in which the King sent them word, That he had seen the Articles proposed by the Legates, which all tended to lessen the Authority of Kings, and encrease that of the Church: That not being willing to suffer that, he commanded them to use all their Prudence, and all their Vigour to remonstrate to the Fathers, that as all Princes are obliged to protect the Council, when things are thrown into Confusion in it; so it is a very strange thing, that they should desire to hide the Wound which causes the present Evils, and to make a much greater one by falling upon Kings: That he saw they pass'd over the Abuses of the Churchmen, out of hatred to which, so many People had separated from the Church of Rome very slightly, and arrogated to themselves a Power of taking away their Rights and Prerogatives from Kings, of annulling their Decrees, of breaking the Customs which had been settled time out of mind, and of excommunicating Princes; all which Things led Subjects to Sedition and Revolt: That the Authority of Councils extends only over the ecclesiastical Order, and not at all over the civil Government, which totally differs from that of the Church; and that as often as Councils have meddled with these sort of things, Princes have opposed them vigorously; which has frequently kindled sharp Wars in Christendom. They were commanded also, to advise the Fathers to meddle with what belonged to their own Ministry, and to mind the Concerns of the Church without attempting Things, which, as they never yet produced good Effects, so they would hereafter produce very ill ones: That if the Fathers would not listen to this Advice, they should vigorously oppose their Designs, and then withdraw to Venice, without waiting for the Determination of the Council; only recommending to the Bishops of France to stay there and attend the Service of God, because he promised himself, that as soon as they should see any thing debated, which was contrary to the Rights of their King and of the Gallican Church, they would immediately withdraw. He wrote likewise to the Cardinal of Lorraine, That if he saw that the Fathers went beyond the Bounds of their Duty, he should retire; and for the rest, he left him to the Instructions which he sent to his Ambassadors. When they had communicated this to him, he advised them to acquaint the Legates with it, and to spread it about among the Fathers, that fear might make them desist from their Demand of the Reformation of Princes, and so not go to a Protestation. But this wrought a quite contrary Effect; for the Bishops who had been quiet, hoping that the Reformation of Princes would be proposed after the Session, knowing that they laboured to elude it, united together to get it to pass.

New Difficulty of the Count de Luna about a Clause.

While these Things were going on, the Count de Luna renew'd his Sollicitations to revoke the Decree, *Proponentibus Legatis*, that so every Prelate might propose what he thought needed Reformation: And in favour of the Spanish Bishops, he desired, that their Chapters might be subjected to them. The Chapters having sent a Proctor to the Council, to sollicite on their Behalf, the Count de Luna commanded him to be silent.

Session cut off till Nov. 11.

The Legates in the mean time consulted to hold a Session upon the Business of Marriage alone, but the Difficulties relating to clandestine Marriages were not well removed; and besides the Ambassadors were afraid, that if once the Session were held without mentioning of Reformation, they would take from thence an Occasion to lay it quite aside. The Legates therefore, who saw that nothing could be got ready by the Session-day, proposed to put it off to Nov. 11. And it was decreed accordingly.

Emperor's Answer to the Articles of Reformation.

The very Day that the Session was prorogued, the Imperial Ambassadors receiv'd an Answer from the Emperor to the Letters which they had sent him, concerning the Alterations which had been made to some Articles of Reformation, and concerning what they had done to stop the Article relating to the Princes. As to the *First*, His Imperial Majesty approved of the

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Alterations which had been made in the Articles of the Decree, and demanded some other Additions or Corrections; as namely, in the *Second*, That Monasteries which pretended to Exemptions, should not be exempted from Episcopal Jurisdiction: In the *Third*, That Lords of Churches may be left to their Liberty to interpose in Things relating to the Fabrick and the Vestry: In the *Fourteenth*, That it shall not be forbidden to unite Revenues of Monasteries to poor Bishopricks, because there are several Bishopricks in Germany, which cannot be repaired and endowed without the Revenues of some Monasteries which are almost quite abandon'd: In the *Nineteenth*, That it shall be inserted, That Dispensations shall be very rarely granted; That the College of Cardinals shall be limited to twenty four; That if the Pope made a Decree to reform his Court, that that Decree should be published and ratified in the Synod. The Ambassadors having ask'd, Whether they should insist upon the Use of the Cup, and the Marriage of the Clergy? He answer'd them upon that Article, That it had been resolved in an Assembly of the Counsellors of Electors and Princes, which was held at Vienna, to address to the Pope, and not to the Council, to desire both. Lastly, Upon the Article relating to the Reformation of Princes, he order'd them to remonstrate to the Legates, That this was a Matter which required more Time; That it was advisable to confer with other Christian Princes, and therefore ought to be put off to another Time: That the Legates persisted in proposing them, they should require a sufficient Time; and if they refused that, the Ambassadors should declare, That his Imperial Majesty would provide for himself in a proper Place and Time. When the Emperor's Ambassador receiv'd this Answer, they acquainted the Legates with it before the Session was held. The Legates insisted upon the Articles of the Reformation of Princes; saying, That when it was once proposed, it was no longer in their Power to omit it; and that the Emperor's Ambassadors might make their Propositions in the Council. When the Ambassadors required Time, the Legates told them, That they could defer it no longer than whilst the XXI Articles were examining. Thereupon the Ambassadors complained, That they undertook to condemn the Princes before they had heard them.

Articles of Reformation of Princes proposed in the Council.

The Chapter of the Reformation of Princes, which made so much Noise, contain'd twelve Decrees; and it set forth, 'That beside the Regulations which were made for Churchmen, the Council believ'd it ought to correct other Abuses introduced by Seculars against the Immunities of the Church; and assured it self, that Princes would be contented, and would pay the Clergy the Obedience which was due to them. It admonish'd them, above all Things, to cause their Officers and Vassals to pay the same Reverence to the Clergy, which themselves are obliged to pay to the Pope, and to the Constitutions of Councils: That, to make this easie, it renew'd and proposed some Statutes made by Councils and Emperors, in favour of ecclesiastical Immunities, to be observed by all the Faithful, upon Pain of an *Anathema*.

I. That the Clergy may not be judged by Seculars, even tho' the Title to their Clerkship be doubtful, or tho' they renounce their Privileges, not even under a Pretence of publick Good, or the Service of the Prince: And that Magistrates shall not proceed against them in case of an Assassination, (*St. Paul adds, unless the Assassination be true and notorious which is not in the Latin*) nor even in any other Cases, without a precedent Declaration of the Ordinary.

II. That in Spiritual, Beneficiary, and Matrimonial Causes, in Causes of Heresie, Patronage, Civil, Criminal and Mixt, belonging in any manner to the Ecclesiastical Forum, for Persons as well as Estates, Tenths, Fourths, or other Portions which belong to the Church; and for Patrimonial Benefices, ecclesiastical Fiefs, and the temporal Jurisdiction of Churches; secular Judges shall never intermeddle in
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petitory or possessory Causes, by vertue of any Appeal whatsoever, either as from an Abuse, or under pretence of Justice being denied, or of having renounced their Privileges: And that those who shall have recourse to the secular Judge in these Causes, shall be excommunicated, and depriv'd of their Rights.

III. That Seculars shall never appoint Judges in ecclesiastical Causes, not even by apostolical Authority, or immemorial Custom: And that the Clerks who shall receive such Commissions from the Laity, whatsoever Privileges they may challenge, shall be suspended, deprived of all Benefices and Graces, and be incapable of ever possessing any.

IV. That Seculars shall never command an ecclesiastical Judge not to excommunicate without their Leave, or oblige them to revoke or suspend their Excommunication, or to cite or condemn, or debar them from their own Offices: That neither Emperor nor Kings, nor any other Prince, ought to make any Edicts relating to Persons or Causes ecclesiastical; or to intermeddle in any thing which concerns them; only they shall be obliged to assist the ecclesiastical Judges vigorously

V. That the temporal Jurisdiction of Ecclesiasticks shall not be disturb'd, nor their Subjects call'd before secular Judges in temporal Causes.

VI. That no Prince or Magistrate shall promise by *Brevet* (c), or otherwise, nor shall give any Man Reason to hope for a Benefice lying upon his own Estate; nor shall he procure any from Prelates or regular Chapters: And those that shall obtain any by that way, shall be deprived and made incapable of ever holding any others.

VII. That they shall never meddle with Revenues of vacant Benefices, under pretence of Patronage, Guard or Protection, or under colour of putting in Stewards or Vicars to prevent Disorders: And that the Seculars who shall undertake any such Commissions, shall be excommunicated, and the Clerks suspended and deprived of their Benefices.

VIII. That Churchmen shall not be obliged to pay Taxes, Gabels, Tenths, Tolls, or Subsidies, tho' under the Name of free Gifts or Loans, either for Church-lands, or their own Patrimony; except in Provinces, where they shall be anciently possess'd of a Right to assist in the States, and to tax Seculars and Ecclesiasticks, in Cases of War against Infidels, or upon some other urgent Occasion.

IX. That Princes shall touch no ecclesiastical Goods, moveable or immoveable, Tenths, Quit-rents, or any other of their Rights; much less any Goods of Communities or private Men, over which the Church shall have any Right; nor farm out any Pastures, or Herbage growing upon any Land belonging to the Church.

X. That Letters, Sentences, and Citations of ecclesiastical Judges, and especially of the Court of Rome, shall be published and executed without any exception, as soon as they shall be presented, without any Necessity either on that account, or to take possession of any Benefice, to demand the Leave which is called *Exequatur* or *Placet*, not tho' it be under pretence of obviating Falsities or Violences, except it be in Citadels and Churches where the Prince is acknowledged upon the score of his Temporalities: And if these Letters be suspected of Forgery, or be such as may occasion Scandal or Tumult, the Bishop may, as apostolical Delegate, ordain as he shall judge convenient.

XI. That Princes and Magistrates shall not lodge their Officers, Soldiers, Servants, Horses, nor Dogs, in Monasteries or other ecclesiastical Houses, or demand any thing from them for Entertainment or Passage.

XII. That if any Kingdom, Province, or City,

pretends to be obliged to nothing of all this, by vertue of any Privileges obtained from the holy See, those Privileges ought to be represented to the Pope within a Year after the Council is closed, that his Holiness may confirm them as every Place may deserve; in default of which, when that Time is expired, the Whole shall be look'd upon as null.

The Epilogue contains an Exhortation to all Princes to honour Things of ecclesiastical Right, as proper and reserved to God, and not to suffer others to lay Hands upon them. All papal Constitutions, and holy Canons in favour of ecclesiastical Immunities, were renewed; with a Prohibition under the Penalty of an *Anathema*, to ordain or execute, directly or indirectly, any thing against ecclesiastical Persons, Goods, and Liberties, upon any Pretence whatsoever, all Privileges and Exemptions to the contrary notwithstanding.

Sept. 16. the Cardinal of Lorrain left Trent, to go to Rome: As soon as he was gone, the Archbishop of Lorrain's Ambrun, the Bishops of Seez, Senes, Mets, Vannes, Vence, Avranches, and Paris, return'd into France.

The Bishop of Vabres went to Malta to see his Brother, some Months before the Bishops of St. Papoul, Cornouailles, Cominges, Paris, (d) and the Abbot of Cisteaux, went to Rome. The Bishop of Angiers was dangerously sick. The Cardinal of Lorrain carried with him the Bishops of Evreux, Meaux, Soissons, Dol, Mans, [and Tullis.] So that there were but nine French Prelates left; the Archbishop of Sens, the Bishops of Leitoure, Chalons, Saintes, Mende, Verdun, Nismes, the Abbot of Clairvaux, and the Bishop of Lavaur, who desir'd Leave to withdraw.

The Cardinal of Lorrain was no sooner gone, but the Legates again propos'd the Decree of the Reformation of Princes. Then du Ferrier made a long Remonstrance, or Complaint, in very sharp Terms, in the Congregation of Sep. 22. the chief Heads whereof were these: That they might say to the Fathers, as

the Jewish Ambassadors said to the Priests, *Why should we still fast and weep?* It is now, said he, above 150 Years since the most Christian Kings have demanded of the Popes to reform the ecclesiastical Discipline: It was to this purpose only, that they sent Ambassadors to the Councils of Constance, Basil, the Lateran, and twice to the Council of Trent. The Speeches of John Gerson, Ambassador at the Council of Constance; of Peter Danes, Ambassador at the first Council of Trent; of Pibrac, and the Cardinal of Lorrain, in the 2d; sufficiently set forth their Desires, which all tended to the Reformation of the Manners of the Clergy. With all this we must still weep and fast; not 70 Years, as the Jews did, but 200 Years together; and God grant it may not be for 300 Years and more. If any one says, we have had Right done us by Decrees and Canons; we shall reply, the giving one thing for another, in Payment, is no Satisfaction: And if it be still said, that we may pay ourselves out of that List of Articles which was given in last Month; besides, that we have given our Opinions concerning them already; our King has declared, that he saw few things in them agreeable to ancient Discipline, and a great many contrary: That this was not *Isaiah's* healing Plaister; but a Remedy which made the Disease worse, like *Ezekiel's* Mortar: That this Way of excommunicating Princes, which is unknown to the primitive Church, open'd a wide Gate to Rebellion: That the whole Chapter of the Reformation of Princes tended only to oppress the Liberties of the Gallican Church, and to wound the Majesty of the most Christian Kings; who, following the Examples of Constantine, and Justinian, and other Emperors, had made several ecclesiastical Laws, some of which had been inserted

[(c) *Brevet*, is a Word peculiar to France, and signifies any Grant or Patent obtain'd in Writing, upon Parchment, from the King. The Latin Text, and F. Paul's Version, retain the Word, because this Article was particularly meant against the King of France.]

[(d) Paris was mention'd before; and by du Ferrier's Letter

to his Master, of Sep. 25. 1563. it appears that the first was right: How the Erratum, if there be one, is to be mended here, I do not know. So afterwards the Abbot of Cisteaux, who was gone to Rome, is mention'd again as staying at Trent, instead of the Abbot of Clairvaux. But *Opere in longo fas est obrepere somnum.*]

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by Popes into their own Decrees; so far were they from displeasing them: That *Charles* the Great, and *Lewis IX.* the two chiefest Authors of these Laws, had been thought worthy of Canonization by Popes: That the *Gallican Church* had been governed by these Laws, not only since the *Pragmatical Sanction*, but even long before there were any Decretals: That now his Master, who was of Age, intended to revive these Laws, in order to restore the Liberty of the Church of *France*, since they contain nothing contrary to the Doctrine of the Catholick Church, the ancient Constitutions of Popes, nor the Decrees of general Councils. He added, that those Laws did not command Bishops to reside nine Months, nor to preach only upon Holydays, as the Decree of the foregoing Session did; but to reside all the Year, and to preach every day: That they did not forbid them to live soberly and piously, or to distribute, or rather restore, the Revenues of which they have the Use, (tho' they are not the Usufructuary) to the Poor, who are the true Masters. He ran over the other Decrees of the Council, in the same ironical Way, and then said, 'That the Kings of *France*, and the Laws of the *Gallican Church*, had always forbidden Pensions, Resignations *in favorem*, or with Liberty of Re-entry, Plurality of Benefices, Annates, and (e) *Preventions*; as also all Pleading in possessory Causes before any but royal Judges, or in any other civil Cause out of the Kingdom: That Appeals as from an Abuse had always been allow'd in *France*: And that the King, who is Founder and Patron of all the Churches in his Kingdom, may make use of the Revenues of the Church, upon a pressing Necessity of State. His Master, he said, was amazed at two Things: First, that Priests, who are invested with so great a Power in the divine Ministry, and who are met only to restore the Discipline of the Church, should think of reforming those whom they ought to obey, and for whom they always ought to pray, yea tho' they should be very wicked: Secondly, how they could excommunicate Kings and Princes, who are appointed by God, without giving them previous Notice; a Formality which ought to be used before they proceeded against the vilest of Men, who persisted in some horrible Sin: That St. *Michael* durst not curse the Devil; nor *Micaiah* and *Daniel* [speak abusively] to very impious King's: That the Fathers notwithstanding threw all their Curses upon Kings and Princes, and, which is worse, upon the most Christian King, for desiring to maintain the Laws of his Ancestors, and the Liberties of the *Gallican Church*. He desir'd them in the King's Name, to determine nothing against these Laws; declaring, that if they did, he, and the other *French Men*, had Orders to oppose such Decrees, which they did oppose beforehand; but that if the Fathers, without falling upon Princes, would seriously labour after what the World expected from them, the King intended that they should second that good Design. Hitherto he had spoken to them in the Name of *Charles IX.* Afterwards he conjur'd Heaven and Earth, and the Council, to consider, whether his Master's Petition was not just; whether what was practised in *France* ought not to be settled all the World over; whether in the present Conjunction they ought not to have a regard, not so much to the Church, and to *France*, as to their own Reputation and Revenues, which could not be preserved by any other Means than those by which they were acquired: That amidst so many Confusions they ought a little to come to themselves, and not to cry out, when Jesus Christ is at hand, *Send us into this Herd of Swine*: That if they would restore the Church to its primitive Lustre; bring those that are gone astray, back to their Duty; and reform Princes; they ought to imitate *Hzekiah*, who did not follow the detestable Example of his Father,

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nor that of the four wicked Kings, his Pedecessors; but went up higher, till he found perfect Ancestors, who might serve as Models: That they also ought to stop at the Actions of their last Pedecessors, tho' they were very learned Men; but to go back to St. *Ambrose*, St. *Augustine*, and St. *Chrysostome*, who overcame Hereticks; not by urging Principles on to War, nor by leaning upon little Things; but by Prayer, an exemplary Life, and Preaching: That if they would once transform themselves into *Ambroses*, *Augustines*, and *Chrysostomes*, they would cause Princes to become *Theodosius's*, *Honorius's*, *Arcadius's*, *Valentinians*, and *Gratians*; adding, that he desired God to give them his Grace.

When *du Ferrier* had ended his Speech, the first Legate bade him withdraw, that they might consider what Answer to make him: But *du Ferrier* said, he expected none; and withdrew. The Legate told the Fathers, that they were free then to give their Opinions in formal Words, or how they pleased; and told *du Ferrier*, that he imitated the Tribunes of the People, who protested against the Laws of the Consuls. *Du Ferrier* answer'd, that he ask'd nothing but what was reasonable. The Legate replied, that the Council meant the same.

Du Ferrier's Speech did not only disgust the *Italians*, but also the other Prelates, even some *Frenchmen*; particularly *Nicholas de Pellicvé*, Archbishop of *Sens*; and *Jerome de Souhier*, Abbot of *Clairvaux*. The Cardinal of *Lorraine* also shew'd some Discontent; but the Queen and Council approv'd of what the Ambassadors had done.

Next day, *Carolus de Grassis*, a *Bononian*, Bishop of *Monte-Fiascone*, spoke in the Beginning of his Discourse against *du Ferrier's* Speech. He said, 'He could not believe that *du Ferrier* had Orders from his most Christian Majesty to speak in that manner, when he remembred that *Pepin* was crowned King by *Zacharias*, and *Charles* the great, first Emperor of the West, by *Leo III.* That he had never heard, that Men opposed the Prelates of a Council, as the Tribunes did formerly among the *Romans*, to stir up Sedition: That formerly, when Councils went about to reform Manners, they would never suffer the Ambassadors of Princes to assist: That *Nicholas I.* acquainted the Emperor *Michael* with this; whereas the *French Ambassadors* not only demanded to be present in the Council, but also to give Laws. Where, said he, is the great *Constantine*, who would not pass a Judgment upon Bishops, tho' desired by so many Fathers? The Ambassadors have represented the Council as a Debtor to *France*; as if that Charity which drew the Bishops of the Council together, and which led them to take so much Pains, to waste their Estates, and expose their Lives, to remedy the Evils of that Kingdom, could make them Debtors. The Reason which *du Ferrier* urged, in defence of the Laws and Customs of *France*; namely, that they did not hinder the Bishops from preaching, giving Alms, and doing other good Works; was frivolous and sophistical: As if, because the King allowed of those pious Duties, he could dispose of what concerned the Immunities and Jurisdiction of the Church, dissipate its Revenues, cause Bishops and Clergymen to be judged by secular Tribunals, against the Rules of apostolical Tradition, the Decrees of Councils and Popes, and the Opinions of almost all the Fathers, at his own Will and Pleasure: They need only read what Popes *Nicholas I.* and *Symmachus* prescribed upon this Subject; and what St. *Gregory Nazianzen* said to the Emperors of his own Time. St. *Augustine*, in his Book against *Petilian*, assures us, that Emperors ought to support ecclesiastical Laws, and not to oppose them. We may see also *Gregory VII's* Decrees; those of *Innocent III.* in the Council of the *Lateran*; and those of the 10th. Session of the Council of *Constance*: And the Ambassa-

[(d) *Preventions* are Privileges that a Superior claims over an Inferior; that when he comes first, the Inferior loses his Right for that time. Thus, in the obedient Kingdoms, the Pope pretending to be universal Ordinary, when he collates to a Benefice

supposed to be vacant, before the proper Patron has collated; his Collation bars the true Patron, be he King or other whatsoever, for that Turn.]

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dor, who called back the Fathers to the ancient Discipline of the Church, ought also to remember its Ancient Liberty. He concludes with desiring the Legates and Fathers, to require the Ambassadors to give in a Copy of his Speech, and the King's Orders, for them to consider.

New Difficulty upon the Clause Proponentibus Legatis.
The Count de Luna started a Difficulty, at the same Time, upon the Clause *Proponentibus Legatis*: He had desired before, in his Master's Name, that it might be omitted, or explained; they promised him to explain it: He received Orders to demand that Explication, and he did so. The Legates pretended they would not oppose it; but when they came to the Terms of the Declaration, it was impossible to come to an Agreement. The Legates desired them to be contented, with saying, *That this Clause took away no Man's Liberty of laying any thing before the Council that he had a mind.* But the Count de Luna insisted upon their explaining the Term *Propose*; or their declaring that that Clause ought to be look'd upon as if it had never been written. The Legates were for leaving the Thing to the Council, or the Pope; but the Ambassador would agree to neither of those Proposals, and labour'd all he could to engage the Imperial Ambassadors to protest along with him: But when he could not gain them, he proceeded no farther in that Matter. Some time after, the Pope sent several Draughts of Declarations about it; and all the Ambassadors, except the Count de Luna, accepted of one, which was inserted in the XXVth. Session.

Sentiments of Pope and Cardinals, concerning du Ferrier's Protestation.
When the News of du Ferrier's Protestation was carried to Rome, the Pope and his Court were horribly troubled at it; fancying, that that Minister had made that Protestation with a Design to break the Council, and to lay the Fault upon them. And the Pope thought it very strange, that whilst the King of France ask'd Leave of him to alienate the Revenues of the Church, his Ambassadors should say, in the Face of the Council, that he might take them himself. The Cardinal of Lorraine was yet more concerned, because he look'd upon this as a mighty Hindrance to his own Negotiations with the Pope. He took therefore a great deal of Pains to shew, that he had no share in this Action; and that it would not have happen'd, if he had been at Trent: He said, it was a Relique of the Resolutions which were taken in the King of Navarre's Life-time, in whose Faction du Ferrier was engaged: That tho' that Party outwardly profess'd the Catholick Religion, yet they joined with the Hugonots, who earnestly desired to see the Council break up of a sudden, that they might avoid its Anathemas: That there were Faults also in those that managed the Affairs of the Council, which were in a good Posture when he left Trent: That the Legates had promis'd two things, which contented the Ambassadors; first, that they should not mention Kings nor Sovereign Princes, but only some Inferior Lords, who left the Bishops no Exercise of the Ecclesiastical Jurisdiction; then, that they should except whatsoever came from the Popes, as the Indults, Privileges, and Concessions of the Holy See: But that, since his Departure, they had produced the first Minute with all those Things which it was agreed should be left out. He added, that this would not hinder the Council from ending quietly; and said, he would complain to the King of the Protestation, and endeavour to bring his Ambassadors back to Trent. He wrote therefore to them, that there was no Remedy for what was past, because it was already done; but, for the future, they should do their Duty, and beware of making any Innovations. He wrote to the King, That this Protestation seem'd so much the more strange to him, because it was made without his Knowledge, and even without any Reason: That du Ferrier and Pibrac had applied a violent Remedy to a slight Disease; which had been prevented, if he had been there; and that when he returned to Trent, he would set all right again: That what was done could not be undone; but that His Majesty might command his Ambassadors to continue the Exercise of their Charge, and to abstain from all Violence: Adding, that he found the Pope

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entirely enclined to reform the Church; and that Christendom was very happy in so Worthy a Head: That His Holiness sent him back to Trent, so well apprised of his Holy Intentions, that there was all possible Reason to hope that they should see the Council quickly ended: And since the Decrees ought to be signed by the Fathers and Ambassadors, he begg'd, that His Majesty would cause his Ministers to return; which would crown the Favours and Protection that the Council had received from him, his Brother, his Father, and his Grandfather.

The Pope was not the only Person to whom the Cardinal was forced to make his Excuses; he had the Cardinals also to apologize to, who said, the Princes were for having a free Council; not that any Regulations should be made in their Affairs, tho' there was great need of it; but only that they might oppress the Clergy. The Pope commanded the Cardinals to think maturely upon what was to be written to Trent, concerning the Reformation of Princes; not that he would meddle with the Affairs of the Council, which he left to the Fathers; but only, as he said, to instruct the Legates by way of Advice: However he order'd them to let the French go, if they had a mind to be gone; only, not to give them any Pretext: And to contrive that the Session might be held upon the Day that was set, before which the Cardinal of Lorraine would be come back. He would have the Council closed two or three Weeks after, by another Session, without communicating his Orders to any Body besides that Cardinal; and if the Imperialists said any thing about it, they should say, they would come to a Resolution when the Cardinal of Lorraine was come back. He told them, he had brought the Emperor and the King of France to his Will; and he had only the King of Spain to bring over, who said, the Council ought not to be closed while there were so many and such weighty things still to be handled: He hoped however to bring that Prince to his Mind, and to conclude the Council to the Satisfaction of every Body. The truth is, he was sure of France and Germany: For besides the Promises which the Cardinal of Lorraine made him, he had others made him from the Emperor: And tho' his Nuncio had sent him Word, that that Prince stood long in suspense, and that it was still to be feared that he might change; yet since he knew that the King of the Romans had brought him to this Resolution, by giving him to understand, that the Council would signify little, to reduce the Protestants; he fancy'd, that that King, going upon that Principle, would persist in his Opinion, and so keep his Father steady.

At Trent, the French Ambassadors appeared no more in Publick after their Protestation; but declared to the French Bishops that stay'd there, that the King would have them contradict the IVth. and Vth. Chapters; by virtue of which, Persons and Causes might be carried out of the Kingdom; and the XIXth. which authorized Preventions, and deprived the Parliaments of their Prerogatives in Beneficiary Matters.

When they had given their Opinions upon the XXI. Articles, the Legates propos'd others; but all the Ambassadors opposing the Chapter about the Princes, it was resolv'd, in the Congregation of Octob. 8. that that Article should be put off to another Opportunity; and that in the mean time they should celebrate the next Session, which should contain the Decrees concerning Marriage, and the XXI Articles of Reformation. Prelates also were then chosen to put the Canons and Decrees into Form. There were Disputes still, between the Prelates upon the Article which related to clandestine Marriages. There were Difficulties also upon the Article of the Devolution of Causes to the Holy See, and upon the Article of Immunities.

Octob. 21. The Pope order'd a Sentence to be published against Cardinal de Chatillon, and five other French Bishops, who were accused of Heresie; and caused a Monition to be fix'd up against Jane, Queen of Navarre. The Cardinal of Lorraine remonstrated to him, that this extraordinary Procedure, which was contrary to the Laws of the Kingdom, being without Effect, would only raise farther Troubles.

[7] S T T T T T

Things

Things were now visibly tending at *Trent* towards closing the Council : The Pope earnestly long'd to see an End of it, and press'd it with repeated Orders ; the Emperor desired it ; the King of *Spain* wrote to the Count *de Luna*, not to cross it ; and the Cardinal of *Lorrain*, who was coming back to *Trent*, had agreed with the Pope to procure it : It was resolved therefore to start new Questions, and to draw up the Canons so as to please all Parties. Nov. 10. they were proposed, and read in the Congregation. The Cardinal of *Lorrain*, who was coming back to *Trent*, had agreed with the Pope to procure it : It was resolved therefore to start no new Questions, and to draw up the Canons so as to please all Parties. Nov. 10. they were proposed, and read in the Congregation. The Cardinal of *Lorrain*, at his Return to *Trent*, disapproved of the *Anathema* thundred in the *VIth*, against those that should deny, That Matrimony, not consummated, may be dissolved by one of the Parties going into a religious Order ; and that in the *IXth*, against those that affirm, That Persons in holy Orders, or who have made a Vow of Chastity, may marry. Cardinal *Madrucci* was of the same Opinion ; and he rejected also the Impediment which the Council establish'd between the Ravisher and the Ravished, and the Decree of the Invalidity of clandestine Marriages : In which he was followed by several.

Before the Decrees concerning Discipline were debated, the Legates proposed to have this Clause prefixed to them, *Saving always the Authority of the holy apostolical See*. Others thought it was more advisable to reserve it to the End ; and that Opinion prevailed. Then the Decrees were read ; and when the Bishop of *Geneva* (f) would have protested against them, he was taken up so sharply by *Morone*, who threatened to turn those out of the Council that should oppose the Decrees which it approved, that no Man durst say any more. After that, their Opinions were pretty uniform, and the Decrees pass'd with little Alteration. Upon the Cardinal of *Lorrain's* Remonstrance, the *Derogatory Causes* were struck out of the Decree which related to the Judgments of Bishops, that they might not openly insult the Liberties of the *Gallican Church*. When this was done, the Dispute between the Archbishops and Bishops began afresh. The Archbishop of *Zara*, who was appointed to defend the Cause of the Bishops, was of opinion, That Archbishops could not constrain Bishops to attend their Metropolitans, unless when they assisted in a provincial Council : And that Metropolitans could not visit their Dioceses, unless it were to execute the Decrees of those Councils. It was believed most Votes would be for that Opinion, but when they came to tell them the other Side had the Majority. They sat very late ; and the Acts of the Session were not quite gone through, till a good while within the Night that preceded the Day of the Session.

Nov. 11. there was a Session held in the usual manner : It was the *XXIVth*. Cardinal *Hosius* was not at it, upon a pretended or real Indisposition. Mass was celebrated by the Bishop of *Trevisi*. *Richard*, Bishop of *Arras*, preached, and said, That that holy Council had now, for two Years together, been in Labour, and all the World expected what it would bring forth : That they ought therefore to take good Heed that they produced nothing maimed or deformed, when they looked for something perfect and compleat : That if they would succeed, they must look upon the Apostles, the Martyrs, and the Primitive Church ; that so the Fruit they were now to bring forth, might have their Features and Likeness, i. e. their Doctrine, Discipline, and Religion ; which being degenerated in these latter Times, had great Need to be called back to their ancient Form : And that this is what all *Christianity* had so long expected. When the Ceremonies were finished, the Mandate of the three Bishops, who were sent to the Council by *Margaret*, Governess of the *Low-Countries*, and the Letters of Credence of the

of the Ambassadors from *Florence* and *Malta*, were read. Then the officiating Prelate read the Doctrine and Canons of Marriage, which were approved by all the Fathers.

The Decree concerning the Sacrament of Marriage, was drawn up in these Words :

' The First-Parent of Mankind, by the Inspiration of the Holy Ghost, has declared the Bond of Matrimony to be perpetual and indissoluble, in these Words, *This is now Bone of my Bone, and Flesh of my Flesh : Therefore shall a Man leave his Father and Mother, and shall cleave to his Wife, and they two shall be one Flesh.*

' But our Lord Jesus Christ teaches us yet more openly, That only two can be joined and coupled together by this Bond, when he produces these last Words, as if they had been said by God himself, adding, *Wherefore they are no more Twain, but one Flesh* ; and immediately strengthens that Bond, which had been declared by *Adam* so long before, saying, *What therefore God hath joined together, let not Man put asunder.*

' The same Jesus Christ also, the Author and Perfecter of all venerable Sacraments, by his Passion has merited the Grace which is necessary to perfect this natural Love, to confirm this indissoluble Union, and to sanctifie the married Couple. This the Apostle *St. Paul* hinted at, when he said, *Husbands love your Wives, even as Christ also loved the Church, and gave himself for it* ; adding a little after, *This is a great Sacrament, (g) but I speak concerning Jesus Christ and the Church.*

' Marriage therefore, in the evangelical Law, being more excellent than the Marriages in the old Law, because of the Grace which it confers by Jesus Christ ; our holy Fathers, and Councils, and the universal Tradition of the Church, have, with Reason, always taught, That it ought to be reckon'd among the Sacraments of the new Law. But the Impiety of this Age has carried Men with so much Fury against this Authority, that they have not only had very evil Thoughts of this venerable Sacrament ; but after their manner, under Pretence of the Gospel, opening a Gate to carnal Licence, they have asserted, by Word and Writing, to the great Detriment of the Faithful, several Things very far from the Sense of the Catholick Church, and the Usage which has been approved ever since the Apostles Times. Wherefore the holy universal Council, being desirous to stop their Rashness, and to prevent a great many more from being drawn in by such a dangerous Contagion, has thought it convenient to exterminate the most remarkable Heresies and Errors of these Schismatics, by pronouncing the following *Anathema's* against the Hereticks and their Errors.

Canon I. *If any Man says, That Marriage is not truly and properly one of the seven Sacraments of the evangelical Law, instituted by our Lord Jesus Christ ; but was invented by Men in the Church, and does not confer Grace : Let him be Anathema.*

Canon II. *If any Man says, That Christians may lawfully have more Wives than one at the same Time ; and that this is forbidden by no Divine Law : Let him be Anathema.*

Canon III. *If any Man says, That nothing but the Degrees of Consanguinity and Affinity set down in Leviticus, can hinder a Marriage from being contracted, or break it when it is contracted ; and that the Church cannot dispense with some of these Degrees, or appoint some more which may hinder or break a Marriage : Let him be Anathema.*

Canon IV. *If any Man says, That the Church has no Power to appoint any Impediments to break a Marriage, or has erred in so appointing them : Let him be Anathema.*

[(f) This is misprinted. It was *Arias Gallego*, Bishop of *Giron* in *Catalonia*, who offered to make this Protestation.]

[(g) What we render *Mystery*, from the Greek *μυστήριον*, the Vul-

gate renders *Sacramentum* : Thence, probably arose the first Fancy in the Church of *Rome*, reckoning Marriage among the Sacraments.]

Canon V. If any Man says, that the matrimonial Bond may be broken by Heresy, unquiet Cohabitation, or affected Absence of one Party: Let him be Anathema.

Canon VI. If any Man says, that a Marriage made, but not consummated, is not broken by a solemn Profession of a religious Vow of one Party: Let him be Anathema.

Canon VII. If any Man says, that the Church has erred in teaching as it always taught, pursuant to the Doctrine of the Gospel and of the Apostles, that the matrimonial Bond cannot be dissolved by the Adultery of one Side; and that neither of them, not even the innocent Party, who gave no occasion for the other's Adultery, can marry again as long as the other Party lives: But that the Husband, who has left his adulterous Wife, sins, if he marries another; and the Wife, who leaves her adulterous Husband, and marries another, sins also: Let him be Anathema.

Canon VIII. If any Man says, that the Church errs in decreeing, that there may be a Separation between a Man and his Wife, both from Bed and Board, for several Causes, for a limited or an unlimited Time: Let him be Anathema.

Canon IX. If any Man says, that Churchmen in holy Orders, or Regulars who have solemnly profess'd Chastity, may contract Marriage; that, when it is contracted, it is good and valid, any ecclesiastical Law or Vow which they have made to the contrary notwithstanding: That to assert the contrary, is only to condemn Marriage; and that all those who do not feel in themselves the Gift of Continence, tho' they have vow'd it, may contract Marriage: Let him be Anathema; since God refuses not that Gift to those that ask it as they ought, and suffers us not to be tempted above what we are able.

Canon X. If any Man says, that the married Estate ought to be preferred to the State of Virginity or Celibacy; and that it is not better and happier to abide in Virginity or Celibacy, than to marry: Let him be Anathema.

Canon XI. If any Man says, that to prohibit the solemnizing of Marriage at certain Times of the Year, is a tyrannical and Pagan Superstition; or shall condemn the Blessings and other Ceremonies which the Church uses upon that Occasion: Let him be Anathema.

Canon XII. If any one denies, that matrimonial Causes belong to ecclesiastical Judges: Let him be Anathema.

After these Canons comes the Decree of Reformation concerning Marriage, in ten Chapters.

Decree of Reformation concerning Marriage.

Chap. I. Tho' there is no question but clandestine Marriages, made with the free Consent of the contracting Parties, are true and valid Marriages, so long as the Church does not make them null; and consequently that those are to be condemned as the holy Council does condemn them, with an Anathema, who deny them to be true and valid; and falsely affirm, that Marriages contracted by the Children of the Family, without the Consent of their Parents, are null; and that the Parents may ratify them, or make them void: Yet the holy Church of God has, for very just Reasons, always detested and forbidden them. But the holy Council, perceiving that these Prohibitions are not now of any Use, by reason of the Disobedience of Mankind; and reflecting upon the heinous Sins which proceed from such clandestine Marriages, and particularly upon the State of Damnation in which those live, who leave their first Wife, whom they married clandestinely, and publicly marry another, with whom they live in continual Adultery: Which Evil, the Church, which judges not what is hidden, cannot prevent, unless some more powerful Remedy be applied; doth ordain, pursuant to the Steps of the holy Council of the Lateran, which was held under Innocent III. That, for the future, before any Marriage be contracted, there shall be publish'd, three times, upon three consecutive Festival Days, in the Church, by the proper Parish-priest of the contracting Parties, during high Mass, the Names of the Parties concern'd: And when such Publications are made,

if no lawful Impediment be shewn, they shall proceed to the Celebration of Matrimony in the Face of the Church; where the Curate, after having examined the Man and the Woman, and understood their mutual Consent, shall pronounce these Words, *I join you together in Matrimony, In the Name of the Father, of the Son, and of the Holy Ghost; or shall use other Words, according to the receiv'd Custom in every Country.*

But if there shall be any probable Suspicion, that the Marriage may be maliciously hindred, if there be so many previous Publications; then the Banns shall be either publish'd but once, or they shall be married without any Publication, only in the Presence of the Curate and two or three Witnesses; and after that, before it be consummated, the Publication shall be made in the Church, that so the secret Impediments, if there be any, may be the more easily discovered; unless the Ordinary himself shall think it more advisable to let those Publications alone, which the holy Council leaves to his Judgment and Prudence.

As for those who shall attempt to contract a Marriage otherwise than before the proper Parish-priest, or some other Priest, by the Curate's or Ordinary's Leave, and before two or three Witnesses; the holy Council incapacitates them absolutely from making any Contract of that sort; and decrees, that such Contracts shall be null and void; as by this present Decree it actually makes them null and void.

It willeth also, and ordaineth, that the Curate, or any other Priest, who shall be present at such a Contract with a less number of Witnesses than is prescribed; and the Witnesses, who shall be present without the Curate, or some other Priest; as also the contracting Parties; shall be severely punished, at the Discretion of the Ordinary.

The holy Council moreover exhorteth the Bridegroom and Bride, not to cohabit in the same House, before they have been blessed by the Priest, who ought to do it in the Church; and ordaineth, that this Blessing shall be given by the proper Curate; and that none but the Curate and the Ordinary shall give Licence to any other Priest to give it; any Custom, even immemorial, which ought to be called an Abuse, or Privilege, to the contrary notwithstanding. And if any Curate, or other Priest, secular or regular, shall presume to marry or bless the betrothed Persons of another Parish without the Licence of the proper Curate, even tho' he shall alledge a Privilege or immemorial Custom for so doing; he shall remain suspended, *ipso jure*, till he shall be absolv'd by the Ordinary of that Curate who ought to have been present at the Marriage, or from whom the Blessing should have been receiv'd.

The Curate shall have a Book, which he shall keep very carefully, in which he shall write the Day and Place where every Marriage was contracted, with the Names of the Parties and Witnesses.

Last of all, the holy Council exhorteth those that shall be married, that, before the Contract, or at least three Days before the Consummation, they confess their Sins with Care, and devoutly approach to the most holy Sacrament of the Eucharist.

If besides what is here enjoined, there be any other Ceremonies and laudable Customs in other Countries, relating to this Matter, those the holy Council earnestly desires may be kept and observed entirely.

And that these things, which are thus wholsomely decreed, may be concealed from no Man; it commandeth all Ordinaries to take care, that this Decree may be published to the People as soon as possibly can be, and explain'd in every Parish Church of their Dioceses; and that this be done very often for the first Year, and as often afterwards as they shall judge convenient. Lastly, it ordaineth, that this present Decree shall begin to be in Force, in every Parish, from and after thirty Days after the first Publication of the said Decree in the same Parish.

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Chap. II. Experience shews, that great Numbers of Prohibitions occasion Marriages to be very frequently contracted in prohibited Cases; in which, when they come to be perceived, Men either sin greatly by persevering in them, or cannot break them without great Offence. The Holy Council therefore, being desirous to provide against this Inconvenience, and beginning with the Impediment which arises from spiritual Relation, ordains, according to the Statutes of the Holy Canons, That only one Man, or one Woman, or at most two, one Godfather, and one Godmother, shall present any Person to the Font; and these shall contract a spiritual Relation with the Person baptized, and his or her Father and Mother: And the Person also that administers the Sacrament, shall contract a spiritual Alliance with the Person baptized, and with his or her Father and Mother only.

Before the Curate goes about to confer Baptism, he shall enquire diligently of those to whom it shall belong, who he or they are who shall be chosen to stand for the Person to be baptized at the Font, that he may admit none else but them: He shall write down their Names in his Book, and shall instruct them in the Relation which they have contracted, that they may pretend no Excuse on the account of Ignorance. And if any Body, but the Persons appointed, shall lay their Hands on the Person to be baptized, they shall not contract any spiritual Kindred upon that Account, all Constitutions to the contrary notwithstanding. And if any thing be done contrary to what is here enjoined, by the Fault or Negligence of the Curate, the Punishment shall be left to the Discretion of the Ordinary.

The Relation contracted by Confirmation shall not go beyond the Confirmer and the Confirmed, and his Father and Mother, and the Person that shall present him; all Impediments relating to this spiritual Kindred, between all other Persons, being wholly taken off.

Chap. III. The Holy Council entirely takes away the Impediment of Justice, for publick Decency, when the Espousals shall be any way invalid; and when they are valid, this Impediment shall go no farther than the first Degree; Experience having shewn, that Prohibitions to remoter Degrees cannot be observed without Inconvenience.

Chap. IV. As for the Impediment which arises from the Affinity contracted by Fornication, and which dissolves the Marriage already made; the Holy Council, induced by the same, and other more weighty Reasons, restrains it to those that are joined within the first and second Degree; and ordains, That the other Degrees beyond it shall dissolve no Marriage which shall be afterwards contracted.

Chap. V. If any Man shall knowingly presume to contract a Marriage within the prohibited Degrees, he shall be separated; and let him not hope to obtain a Dispensation: And this shall with much more Reason take place, where a Man shall be so bold as to consummate his Marriage as well as contract it. If he did this ignorantly, and neglected to observe the Solemnities which are requisite in contracting Matrimony, he shall be liable to the same Penalties: For he that rashly despises the wholesome Precepts of the Church, does not deserve easily to taste of its Bounty.

But if, after he has observed all the requisite Solemnities, some secret Impediment comes to be discovered, of which it is probable he knew nothing; then he may be dispensed with the more easily, and *gratis*. For Marriages still to be contracted, no Dispensation shall be given, or seldom, for a lawful Cause, and *gratis*. No Dispensation shall ever be given in the second Degree, but between great Princes, and for the publick Good.

Chap. VI. The Holy Council decreeth and declareth, That there can be no Marriage between the Ravisher and the Ravished, as long as she is in the Ravisher's Power: But if after Separation, when

she is lodged in a secure and free Place, she shall consent to have him for her Husband, he may keep her as his Wife: The Ravisher in the mean time, and all that have given him Counsel, Aid, and Assistance, shall be excommunicated *ipso jure*, perpetually infamous, and incapable of all Dignities; and if they were Clergymen, they shall lose their Orders. The Ravisher also, whether he marries the Woman whom he has ravished, or not, shall be obliged to give her a decent Portion, at the Discretion of the Judge.

Chap. VII. There are many Vagabonds in the World, who have no settled Habitations; and these Kind of Persons being usually very profligate, it often happens, that after they have quitted their first Wives, they marry others in their Life-times, and frequently several in several Places: This Disorder the Holy Council being desirous to put a Stop to, doth fatherly admonish all whom it may concern, not easily to admit these Sort of Wanderers to Marriage. It exhorteth also the Secular Magistrates, to restrain them severely. And it enjoineeth Curates, not to assist at their Marriages, till they have first made a diligent Enquiry about them, and have gotten a Licence from the Ordinary, after having acquainted him with the Matter.

Chap. VIII. It is a heinous Sin for unmarried Men to keep Concubines; but it is a most grievous Crime, tending directly to the Contempt of this great Sacrament, for married Men to live in this State of Damnation, and sometimes to have the Impudence to keep and entertain these Creatures in the same Houses with their own Wives: The Holy Council therefore, desirous by proper Remedies to cure so great an Evil, decreeth, That all Concubinaries, married and unmarried, of whatsoever Rank, Dignity, and Condition they be, if after having been three times admonished by their Ordinary, even *ex officio*, they do not put away their Concubines, and break off all Commerce with them, they shall be excommunicated; and shall not be absolved, till they have actually obey'd the Admonition which has been made. And if, in Contempt of these Censures, they shall continue in Concubinage one whole Year, the Ordinary shall proceed with Rigor against them, according to the Quality of their Offence.

Women, whether married or unmarried, who live in publick Adultery or Concubinage, if after the third Admonition they shall be disobedient, shall be severely punished, according to the Greatness of their Fault, by the Ordinary of the Place, even *ex officio*, and though there be no Complaint; and they shall be expelled the Place, or the Diocese, if the Ordinary shall think it proper, who shall call in the secular Arm, if it be necessary, to his Assistance; other Penalties against Adulterers and Concubinaries still remaining in full Force.

Chap. IX. Interest and Affection for Things upon Earth, do usually so much blind the Eyes of the Understandings of Temporal Lords and Magistrates, that very often, by Threatnings and ill Usage, they force their Vassals of both Sexes, especially if they are rich, or have a Prospect of a great Inheritance, to marry against their Wills with such Persons as they shall offer them. Now since it is a most accursed thing to violate the Liberty of Matrimony, and this Injury proceeds even from those from whom they ought to expect Justice: The Holy Council forbiddeth all Persons of whatsoever Rank, Dignity and Condition they be, upon Pain of an *Anathema* to be incurred *ipso facto*, to lay any Constraint in this Matter upon their Vassals, or upon any other Persons whatsoever, or any Way to hinder them directly or indirectly from marrying with all possible Freedom.

Chap. X. The Holy Council commandeth, That all Persons shall carefully observe the ancient Prohibitions of solemn Marriages from *Advent* to *Epiphany*, and from *Ash-Wednesday* till the *Octave of Easter*, inclusively. At other times it allows the Solemnities of Marriage; which Bishops shall take care to have

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have observed with requisite Modesty and Decency, because Marriage is a Holy thing, and ought holily to be administered.

The same Holy Council, going on with the Business of Reformation, has resolved to ordain as follows in this present Session.

CHAP. I. If in the Church, for any Sort of Degree, a particular Care and Discernment is requisite, that there may be nothing disorderly, nothing irregular in the House of the Lord; then much more Care ought to be taken; that there may be no Mistakes in the Choice of him who is set over all other Degrees. For the Order and State of the whole Family of the Lord will totter, if what is required in the Body, be not found in the Head. Wherefore though the Holy Council has already made some useful Decrees concerning those who are to be preferred to Cathedral and Superior Churches; yet it looks upon this to be so very weighty an Office, if it be considered in the whole Extent of its Functions, that it thinks it can never take too much Precaution in this Matter. It ordains therefore, that as soon as any Church shall become vacant, there shall immediately, by the Chapter's Order, be Processions and publick and private Prayers appointed throughout the whole City and Diocese, that so both Clergy and People may obtain a worthy Pastor from God.

And as for all and every of those, who by any means have any Right from the Apostolical See, or by any other Way have to do in preferring those who are to be set over the Church, without innovating any thing in that Matter, considering the present State of things; the Holy Council doth exhort and admonish them above all things to remember, that they cannot do any thing more for the Advantage of the Glory of God, and the Salvation of the People, than to make it their Business to get good Pastors, who are able to govern the Church well, advanced: And that they sin mortally, and become Partakers of other Mens Sins, if they do not take particular Care to cause those to be preferred, whom they themselves shall judge to be most worthy and most useful for the Church, having no Regard to any thing but their Merits, without giving way to Prayers, or human Affections, or any Sollicitations of Pretenders; observing still that they be lawfully begotten, of a good Life, a competent Age, and have the Learning and all the other Qualities, which the Holy Canons, and the Decrees of this present Council of *Trent* do require.

And for as much as the Diversity of Nations, People and Customs, does not permit the same Manner of proceeding in the Informations which ought to be taken of all these Qualifications, and which ought always to be made upon authentick and unexceptionable Evidences of good and learned Men, to be every where established: The Holy Council decreeth, That in a Provincial Synod, to be held by every Metropolitan, a Form of Examination, Inquest, or Information, proper and particular to every Country or Province, shall be prescribed, such as shall be judged to be most useful and convenient to the Place where it is enjoined, which must be approved by the most Holy *Roman* Pope. And when pursuant hereunto, such Inquest, or Information, concerning any nominated Prelate, shall have been made and taken, it shall be reduced to a publick Act, with all the Attestations, and the Profession of Faith, of the Person to be promoted; that the whole may be sent, as soon as possible, to our most Holy Father, that he, as supreme Pontiff, having had full and entire Knowledge of Persons and Things, may provide for the Churches to greater Advantage for the Flock of our Lord, if upon Examination and Inquest had, they shall be found to be capable.

All these Proofs, Attestations, Inquests and Informations, made by whomsoever, even in the Court of *Rome*, concerning the Qualifications of the Persons to be promoted, and concerning the State of the

Church, shall be carefully examined by a Cardinal, assisted by three other Cardinals, who shall be obliged to make his Report to the Consistory. This Report shall be signed by the Cardinal Reporter, and the three other Cardinals; and each of these four Cardinals, in particular, shall certify, That after an exact Search, he has found the Presentees provided with the Qualifications required by the Law, and by the present Council of *Trent*; and that at the Peril of his everlasting Salvation, he doth certainly judge them to be fit to be set over the Church. When this Report is thus made in one Consistory, Sentence may be put off to another, that the Inquest may be more maturely looked into in the mean time, unless the most Holy Father thinks it advisable to proceed otherwise.

The Holy Council declareth moreover, That these, and all other Things, which are any where else decreed in this Holy Council, concerning the good Life, Age, Learning, and other Qualities of those who are to be made Bishops, shall be equally required in the Creation of the Cardinals of the Holy *Roman* Church, though they be only Deacons; whom the most Holy Father shall take out of every Nation in Christendom, as far as he can conveniently, and shall judge them capable.

Lastly, the same Holy Council, being touched with the many and great Miseries of the Church, cannot forbear taking notice in this Place, that nothing is more necessary for the Church of God, than that the most Holy *Roman* Pope, who, by the Duty of his Place, ought to take Care of the Catholick Church, should particularly think it his Duty, to put none into the Holy College of Cardinals, but very choice Men, and trust none with the Government of the Church but good Men, and Pastors capable of the Work; and this the more, because our Lord Jesus Christ will require an Account from him, of the Blood of his Sheep that shall perish by the Misgovernment of Pastors that are loose and negligent in doing their Duty.

Chap. II. The Custom of holding Provincial Councils, if it has been any where omitted, shall be revived, and their Abuses shall be corrected, Manners reformed, Differences made up, and whatsoever else is permitted by the Holy Canons. The Metropolitan therefore himself, or, in case of a lawful Impediment on his Part, his eldest Suffragan, shall not fail to call a Provincial Council within a Year after the breaking up of this Council; and afterwards, once in three Years at least, after the *Octave* of the Resurrection of our Lord Jesus Christ, or at any other more convenient Time, according to the Usage of the Province. And there all the Bishops and others, who of Right and Custom ought to assist, shall be absolutely obliged to appear, unless the Sea be any where to be cross'd, which cannot be done without imminent Danger. But unless it be at a Provincial Synod, the Comprovincial Bishops shall not for the future be obliged, upon pretence of any Custom whatsoever, to go to the Metropolitan Church against their Wills.

Bishops, who are subject to no Archbishop, shall once for all make choice of some Metropolitan in their Neighbourhood, at whose Provincial Synods, they, with the rest, shall be hereafter obliged to appear, and to observe; and cause to be observed, the Regulations there to be made; their Exemptions and Privileges in every thing else remaining entire.

Diocesan Synods also shall be held every Year, at which all Exempts, who, had they not been exempted would have been obliged, shall assist, unless they be subject to general Chapters; still understanding, that all Persons, be they who they will, who have any Care of Parishes and other Secular Churches, though they be annexed, are obliged to attend at those Synods. But if the Metropolitans or Bishops, or any of the aforesaid Persons, shall neglect to do what is here required, they shall incur the Penalties inflicted by the Holy Canons.

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The History of the Council of Trent. Chap. III. All Patriarchs, Primates, Metropolitans, and Bishops, shall every Man in Person, once a Year, visit his own Diocese; or cause it to be visited by his Vicar-General, or by some other particular Visitor, if any lawful Impediment prevents their doing it in Person: And if their Diocese be so large, that they cannot visit it all in one Year, they shall visit at least the greatest Part; that so the whole Diocese may be visited every two Years by themselves or their Visitors.

Patriarchs, Primates, &c. to visit their own Dioceses once a Year. Metropolitans shall not, after they have fully finished the Visitation of their own proper Dioceses, visit the Cathedral Churches or the Diocese of their Comprovincial Bishops; except it be for Causes allow'd and approv'd of in the provincial Synod.

Archdeacons, Deans, and other Inferiors, who have hitherto used legally to keep their Visitations in certain Churches, may do so still; but by themselves only, with the Bishop's Consent, and assisted by a Notary. The Visitors also deputed by Chapters, which have a Right of Visitation, shall be first approved by the Bishop: But then this shall not hinder the Bishop or his Visitor, if he be hindred from visiting the same Churches severally from them. On the contrary, Archdeacons, and other Inferiors, shall be obliged to give him an Account, within the Month, of the Visitation which they have made; and to lay the Depositions of Witnesses, and the original Acts, before him; all Customs, even Immemorial, Exemptions and Privileges to the contrary notwithstanding.

Now the principal End of all these Visitations shall be, to establish sound and orthodox Doctrine, by driving out all Heresies; to keep up good Manners, to correct ill ones; to animate the People to the Service of God, to Peace, and Innocence of Life, by pressing Remonstrances and Exhortation; and to settle every Thing else, which the Prudence of those, who shall hold the Visitation, shall judge to be for the Advantage of the Faithful, as Time, Place, and Opportunity shall allow.

But, to the end that all these Things may have a more easie and a more prosperous Issue, the Persons above-mentioned, who have a Right to Visitation, shall, all and singular of them, be admonished to shew a fatherly Charity and a truly Christian Zeal towards all Mankind; and being contented with a moderate Train and Retinue, shall labour to finish their Visitations as soon as they can possibly, only applying a due Diligence thereunto. Let them take care therefore, not to be chargeable or burthensome to any Man by needless Expences; nor shall they, or any of their Train, under Pretence of the Right of Procurations for Visitation, or of any Wills, in which there are Sums bequeathed to pious Uses, (except what may be due of Right from any particular pious Legacy) or upon any other Title whatsoever, take any Thing, either Money, or Present, of any sort whatsoever, or which way soever offer'd, all Customs, even Immemorial, to the contrary notwithstanding; unless it be for Victuals, which shall be allow'd them moderately and frugally, as long as they shall have occasion during their stay, and no longer. The Persons visited however shall have their Liberty to pay in Money, if they like it better, according to the old Tax, what they usually allowed for Victuals; only saving the Right acquired by ancient Conventions made with Monasteries, and other pious Places, or Churches not Parochial; which Right shall not be touched. As for those Places, or Provinces, where the Custom is for Visitors to take neither Victuals nor Money, nor any thing else, but to do all *gratis*; there the same Usage shall be still observed. But if any one, which God forbid, shall presume to take any thing more than what is prescribed in all these Cases, besides the Restitution of double, which he shall be obliged to make within a Month, he shall be subject, without any hope of Remission, to all the other Penalties set forth by the Constitution of the general Council of Lyons, beginning *Exigit*, and to all others which shall be decreed in a Provincial Synod, as it shall judge convenient.

Patrons shall not in any wise presume to interpose in what relates to the Administration of the Sacraments; nor to meddle with visiting the Ornaments of the Church, or of its stable Revenues, or of the Rents of its Buildings; unless they have a Right by Institution or Foundation: But the Bishop shall examine all these Things themselves, and shall take care, that the Revenues of the Buildings shall be expended upon Uses necessary and advantageous to the Church, as they shall judge to be most convenient.

Of preaching the Word of God. Chap. IV. The holy Council desiring, that the Office of Preaching, which is the principal Duty of Bishops, may be performed as often as possibly can be, for the Salvation of the Faithful; and accommodating the Canons, formerly publish'd, concerning this Matter, under Paul III. of happy Memory, more suitably to the present Posture of Affairs; decreeth, That Bishops shall explain the holy Scriptures, and declare the Law of God themselves in their own Churches; or if they have a lawful Impediment, shall take care that it be done by others in their Cathedrals; as also by the Parish Priests in other Churches; or if they are hindred, by others who shall be named by the Bishops, either in the City, or in any other Part of the Diocese which they shall judge most proper; at the Cost and Charge of those who are obliged to it, or who have usually done it; and this at least every Sunday and solemn Festival, every Day during the Fasts of Lent and Advent, or at least thrice a Week, if they think it necessary, and at other Times as often as they shall judge expedient.

The Bishops likewise shall take care to let the People know, that every Man is obliged to be at his own Parish-Church, if that can be done conveniently, there to hear the Word of God: And no Man, Secular or Regular, shall undertake to preach, even in the Churches of his own Order, against the Bishop's Will.

They shall take care likewise, that upon Sundays and Holidays at least, the Children in every Parish be instructed in the Principles of the Faith, and of the Obedience which they owe to God and to their Parents: And they shall force, if there is occasion for it, even by ecclesiastical Censures, those whose Duty it is, to perform it faithfully; all Privileges and Customs to the contrary notwithstanding. As for all the rest, the Decrees of the same Paul III. concerning the Duty of preaching, shall remain in their Force and Vigour.

Of judging and gaining Bishops, and of greater Causes. Chap. V. The Examination and Determination of weighty Causes in criminal Matters against Bishops, as also in the case of Heresie, which God forbid, which are worthy of Deposition or Deprivation, shall only belong to the Pope: And if the Cause be such, that it must be necessarily removed from the Court of Rome, it shall be committed to none but Metropolitans, or Bishops, chosen by our most holy Father.

This Commission shall be special, and signed by the Pope's own Hand, who shall not give the Commissioners a greater Power than that of instructing themselves of the Fact, and drawing up a Process of it, immediately to be sent back to the Pope, to whom the Definitive Sentence shall always be reserved.

All the other Things which have been decreed under Julius III. of happy Memory, upon this Subject, as also the Constitution under Innocent III. in the general Council, beginning *Qualiter & quando*, and which the holy Council renews by this present Decree, shall be observed by all Men.

Criminal Causes of lesser Consequence against Bishops, shall be examin'd and determin'd only by the Provincial Council, or by a Committee which it shall appoint for that Purpose.

Of Absolutions in Reserved Cases. Chap. VI. The Bishops may dispense with all manner of Irregularities, and Suspensions incurred for hidden Crimes, excepting in the Case of wilful Murder, or whilst Things are depending in a *Litigious Court*, [*Forum Contentiosum*] They may also in their own Dioceses, by themselves, or a Vicar specially appointed, absolve all Secret Sins *gratis*, in *Foro Conscientiæ*, having

ing first imposed a wholesome Penance. In the Case of Heretic, the same Faculty of absolving *in foro Conscientie* is allow'd to them in Person, and not to their Vicars.

Chap. VII. That the Faithful People may come to receive the Sacraments with greater Respect and Devotion, the holy Council commandeth all Bishops, not only to explain their Use and Virtue themselves, suitably to the Capacity of the Receiver, when they do the Office of administering them to the People in Person; but also to take care, that all Parish-Priests do so too; and apply themselves with Zeal and Prudence to that Explication, which shall be done in the Language of the Country, if there is need for it, and it can be done conveniently, according to the Form to be prescribed by the holy Council, upon every Sacrament, in a Catechism to be made on purpose; which the Bishops shall take care to get faithfully translated into the vulgar Tongue, and cause the Parish-Priests to explain it to the People; who also, in the Middle of High Mass, or of divine Service, shall explain, in the vulgar Tongue, upon all Feasts and Holidays, the holy Text, and the saving Admonition therein contained, and shall endeavour to imprint them in the Hearts of all the Faithful, and to instruct them thoroughly in the Law of our Lord, all useless Questions being laid aside.

Chap. VIII. The Apostle admonishes those who have sinned publickly, to be corrected publickly. When therefore any Man has committed any Crime in publick, and in the sight of many People, so that there can be no question but others have been offended and scandalized, he ought to be enjoined a publick Penance proportionable to his Fault; that so those who have been encouraged to do amiss by his Example, may be recalled, by the Testimony of his Amendment, to an orderly Life. The Bishop however, if he thinks it convenient, may change this publick sort of Penance into a private one.

In all Cathedrals, where it can be done conveniently, the Bishop shall appoint a Penitentiary, and unite the first Prebend that shall fall to that Office. The Penitentiary shall be some Master, Doctor, or Licentiate in Divinity or Canon-law, forty Years old; or some other Person whom he can find to be the fittest for that Employment in that Place: And as long as that Penitentiary shall be employ'd in hearing Confessions in the Church, he shall be look'd upon as present in the Quire.

Chap. IX. The same things which have been formerly decreed under *Paul III.* of happy Memory, and lately under our most holy Father *Pius IV.* in this same Council, concerning the Diligence which Ordinaries ought to use in visiting Benefices, tho' exempted, shall also be observed in secular Churches which are said to be of no Diocels, which shall be visited by that Bishop, as Delegate of the apostolical See, whose cathedral Church is nearest, if that Neighbourhood be uncontested; otherwise by him whom the Prelate of the Place shall have once chosen in a provincial Council; all Privileges and Customs, even immemorial, to the contrary notwithstanding.

Chap. X. That the Bishops may the better keep the People, whom they are to govern, in their Obedience and Duty, in all Matters relating to Visitation, and Correction of Manners of those within their Jurisdiction; they shall have Right and Power, even as Delegates of the holy apostolical See, to ordain, regulate, correct and execute, according to the Sanctions of the Canons, all things which in their Prudence shall be judged necessary for the Amendment of their Subjects, and the Good of their Dioceses. Nor in any thing relating to Visitation, or Correction of Manners, shall any Exemption, Inhibition, Appeal, or Complaint, even to the apostolical See, be brought

in, to hinder or suspend, in any manner, the Execution of what they shall have commanded, decreed, or judged.

Chap. XI. It being seen every Day, that Privileges and Exemptions given to several Persons, under several Titles, create much Trouble to Bishops in their Jurisdictions, and give the Exempts an Opportunity to lead a more licentious Life; the holy Council ordaineth, that if for just weighty, and almost inevitable Causes, it shall sometimes be thought good, that some Persons be honoured with the Titles of *Prothonotaries, Acolyths, Counts Palatine, Royal Chaplains*, or the like, in the Court of *Rome*, or elsewhere; as also, that others be receiv'd as offer'd to, or some other way engag'd in the Service of some Monastery, be it what it will, or as Friars Servants to military Orders, Monasteries, Hospitals, or Colleges; or lastly, under any other Title whatsoever; it shall not be understood, that any thing of the Right of Ordinaries is taken away by these Privileges; so as that these Persons to whom such Privileges have been, or shall for the future be granted, shall be less subject to their Ordinaries, as Delegates of the holy apostolical See, in all things in general: And as to royal Chaplains only, according to the Terms of the Constitution of *Pope Innocent III.* beginning *Cum Capella (a)*, excepting still those that actually serve in the afore said Places and military Orders, and that reside within their Houses and Closets, and under their Obedience; and those who have been lawfully profess'd, according to the Rule of such military Order, of which the Ordinary ought to be certified, any Privileges whatsoever, even of the Order of *St. John of Jerusalem*, and of other military Orders, to the contrary notwithstanding. As to the Privileges which use to belong to those that reside in the Court of *Rome*, by vertue of *Eugenius's* Constitution, or because they are Cardinals menial Servants, they shall not be understood to be in force in favour of those that hold ecclesiastical Benefices, so far as related to those Benefices, but they shall continue under the Jurisdiction of the Ordinary; all Inhibitions to the contrary notwithstanding.

Chap. XII. Dignities, particularly in cathedral Churches, having been founded to preserve and encrease ecclesiastical Discipline; and that those who should obtain them, might excel in Piety, and be Examples to others, and assist the Bishop with their Cares and Services; those that are call'd to them, may reasonably be desired to be such as may answer to their Employment: For the future therefore, no Man shall be preferred to any Dignity whatsoever, with Cure of Souls, till he is at least 25 Years of Age, and has pass'd some time in the clerical Order, and be commended for Learning necessary to perform his Office, and for the Integrity of his Manners, according to the Constitution of *Alexander III.* published in the Council of *Lateran*, beginning *Cum in cunctis*.

The Archdeacons likewise, who are called the Eyes of the Bishops, in every Church where it can be, shall be Masters or Doctors in Divinity, or Licentiates in Canon-law. All other Dignities, or Parsonages, without Cure of Souls, shall also be supply'd with able Clerks, who are at least 22 Years of Age.

All Men likewise, that shall be provided to any manner of Benefice with Cure of Souls, shall be obliged, within two Months from the Day of their taking possession, to make a publick Profession of their orthodox Faith; and to promise and swear to continue in the Obedience of the Church of *Rome*, within the Hands of the Bishop himself, or, if he is hindered, before his Vicar-general, or his Official. But those that shall be provided to Canonries or Dignities in cathedral Churches, shall be obliged to do the same thing, not only before the Bishop, or his Official, but also in the Chapter. Otherwise all that are so provid-

[(a) By that Constitution of *Innocent III.* the Exemption of the Canons of the Duke of Burgundy's Chappel, from the Jurisdiction of all Archbishops and Bishops, was taken off, in what relates to any Parish-Churches held by the said Canons; so that so far as these Canons were Parish-Priests, so far they were by

that Constitution put under their Diocesan's and Metropolitan's Power: But in every thing else, the papal Privileges which they enjoy'd, upon the account of their Relation to the Duke of Burgundy's Chappel remained untouch'd.]

ed, as above, shall acquire no Property in the Profits, nor shall their Possession do them any Service.

No Man for the future shall be admitted to any Dignity, Canonry, or Portion, till he be in that Holy Order which is proper to that Dignity, Prebend, or Portion; or be of such an Age, as that he may take that Order in the Time prescribed by the Law; and by the present Holy Council.

In all Cathedral Churches, every Canon or Comportioner shall be obliged to be in a certain Order, either Priest, Deacon, or Subdeacon: And the Bishop, with the Advice of his Chapter, shall make such Regulation as he shall judge expedient, and shall appoint to which Holy Order every Prebend shall for the future be appropriated; but so however, as that half of them at least shall be Presbyters, the others Deacons and Subdeacons; and where a more laudable Custom has obtained, that a greater Number, or that all, should be Presbyters, there that Custom shall by all means be preserved.

The Holy Council exhorteth also, that in Countries, where it can be done conveniently, all Dignities, and half the Canonries, at least in the considerable Cathedral or Collegiate Churches, shall be given to none but Masters or Doctors, or at least Licentiates, in Divinity or Canon-Law.

No Dignitaries, Canons, Prebendaries, or Comportioners, in any Cathedral or Collegiate Churches, shall, by virtue of any Statute or Custom, be allow'd to be absent from their Churches above three Months in a Year; saving still the Constitutions of those Churches which require a longer Time of Service: Otherwise every Offender shall be deprived the first Year of one half of the Profits which he should have received by virtue of his Prebend and Residence; and if he be guilty of the same Negligence a second time, he shall lose all the Profits of that Year; and if he continues still in his Contumacy, he shall be proceeded against according to the Constitutions of the Holy Canons.

Those that are present at the Hours prescribed, shall receive the Distributions; all others shall lose them, without any Collusion or Remission, according to the Decree of Boniface VIII. beginning *Consuetudinem*, which the Holy Council revives; all other Statutes and Customs to the contrary notwithstanding.

They shall also be all obliged to perform the Divine Offices by themselves, and not by Substitutes; and to assist and serve the Bishop when he says Mass, or officiates Pontifically; and in the Choir, which is appointed to sing the Praises of God, to praise his Name in Hymns and Spiritual Songs, reverently, distinctly and devoutly.

Their Habit shall be always decent, both within and without the Church; and they shall abstain from unlawful Hunting, Hawking, Dancing, Taverns, and Games; and the Integrity of their Manners shall be such, that they may deserve the Title of the Ecclesiastical Senator.

For whatsoever else that relates to their Behaviour during the Divine Offices, to a proper way of Chanting and Singing, to the certain Rules of Meeting in the Choir, and staying there, and to whatsoever may be necessary for all the Ministers of the Church, and the like; the Provincial Synod shall appoint such a Form as shall be most useful to every Province, and adapted to its Customs: And in the mean time, the Bishop, assisted by two at least of his Canons, one chosen by himself, and the Other by his Chapter, shall make such Regulations as he shall judge convenient.

Chap. XIII. Since several Cathedral Churches are so slenderly endow'd, and so narrow, that they do by no means answer the Episcopal Dignity, nor are sufficient for the Necessities of the Churches; the Provincial Council, having called in those whom it does concern, is commanded to examine and weigh with Care, what Churches it will be convenient, to unite, and what to augment with new Revenues, because of their Smallness, or their Poverty; and to draw up

Instruments of the Premises, and transmit them to the Pope; who, being by this means informed of the Business, shall judge, as in his Prudence he shall think most advisable, either to unite those which are too small, or to procure them some Augmentation of their Revenue. In the mean time, till these Things can be effected, the Sovereign Pontiff may provide for the Subsistence of those Bishops, who, because of the Smallness or Poverty of their Dioceses, may want some Support out of some Benefices; provided they be neither Cures, nor Dignities, nor Canonries, nor Prebends, nor Monasteries, where a Regular Observance is in force, or which are under the Jurisdiction of General Chapters, or certain Visitors.

In Parochial Churches likewise, where the Revenues are so small, that they are not sufficient to support the necessary Charges; the Bishop shall take Care, if he cannot remedy it by uniting Benefices nor Regular together, that either by Assignments of First-Fruits or Tenths, or by Contributions and Collections of the Parishioners, or by some other Way which he shall think more proper, a sufficient Fund be raised to answer the Necessities both of Rector and Parish.

But in all manner of Unions, either for these or for any other Causes, Parish-Churches shall never be united to any Monasteries, Abbies, Dignities, or Prebends, in Cathedral or Collegiate Churches; or to any other simple Benefices, Hospitals, or Military Orders: And those that are so united, shall be revisited by the Ordinaries, pursuant to the Decree made already in this same Council under *Paul III.* of happy Memory; which shall likewise be observed, concerning the Unions which have been made from the making of that Decree till this Time, any Terms whatsoever, in which that Decree was drawn up, (since they shall be construed to be sufficiently express'd) to the contrary notwithstanding.

Moreover, all Cathedral Churches, whose Annual Revenue, upon an exact Valuation, does not exceed one thousand Ducats, and Parish-Churches not above one hundred Ducats, shall not for the future be charged with any Pensions or Reservations of Profits.

In those Cities and Places, where Parishes have no fixed Bounds, and the Rectors have no peculiar People to govern, but give the Sacraments indifferently to all that desire them; the Holy Council commandeth Bishops, that, for the greater Security of the Salvation of the People committed to their Charge, they shall divide the People into fix'd and distinct Parishes, and assign to every one its particular and perpetual Curate, who may know his People, and from whom they may lawfully receive the Sacraments; or else he shall remedy this Mischief some other more convenient Way, according to the Disposition of the Place. In Cities and Places where there are no Parish-Churches, this shall be done as soon as possible; all Privileges and Customs, even Immemorial, to the contrary notwithstanding.

Chap. XIV. In several Churches, as well Cathedral as Collegiate and Parochial, either by their Constitution, or rather by an evil Custom, it is known to be a Practice, that upon any Election, Presentation, Nomination, Institution, Confirmation, Collation, or any other Provision or Admission to the Possession of any Cathedral Church, Benefice, Canonry, or Prebend, or upon a Participation of their Revenues or Quotidian Distributions; this shall be done upon certain Conditions or Deductions out of the Profits, or upon some Payments, Promises, unlawful Compensations or Advantages, which in some Churches are called *Gains upon a Turn*: Now the Holy Council detesting these Things, commandeth Bishops not to suffer any of these Dues to be levied, unless they be laid out upon Pious Uses; nor any Entries upon Benefices, which can be suspected of Simoniack Pollution, or of sordid Avarice; but that they carefully look into those Regulations and Customs; and reserving only those which they shall approve of as Laudable, reject and abolish what they shall judge to be Corrupt and Scandalous

Prohibition of taking any thing from the Revenues of Benefices for any other Use.

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Of Union of Prebends in Cathedral or Collegiate Churches.

Of the Rights and Duties of Chapters during the Vacancy of a See.

Plurality of Benefices forbidden.

Scandalous. And as for those, who shall do any thing against the Intention of this Decree, it declares them to be liable to the Penalties decreed against Simoniacks by the Holy Canons, and several Constitutions of Sovereign Pontiffs; all which it revives, any Statutes, Constitutions, Customs, even Immemorial, and confirmed by Apostolical Authority, to the contrary notwithstanding: The Bishop, as Delegate of the Apostolical See, having a Power of enquiring into all Subreptions, Obreptions, or Defects of Intentions.

Chap. XV. In considerable Cathedral and Collegiate Churches, where the Prebends are numerous and so small, that even with the quotidian Distributions they are not sufficient to maintain the Canons decently according to their Degree, considering the Place and the Quality of the Persons; the Bishops may, with the consent of the Chapter, annex some simple Benefices to them, so they be not Regular, or if a Provision cannot be made that way, they may sink some of the Prebends with the Patrons leave, if they are of Lay Patronage; and then, having reduced their number, apply the Profits and Revenues of the Prebends so suppress'd towards the quotidian Distributions of those that are left; provided still, that there be enough left to perform Divine Service, in such a manner as becomes the Dignity of that Church; all Constitutions and Privileges, General or special Reservations or Approbations, to the contrary notwithstanding: Nor shall the aforesaid Unions or Suppressions be made void or stopped by any manner of Provisions, not even by virtue of any Resignations, Derogations or Suspensions whatsoever.

Chap. XVI. When a See is vacant, in those Places where the Charge of receiving the Revenues lies upon the Chapter, it shall appoint one more faithful and diligent Stewards to take care of the Business and Revenues of the Church, of which they are to give an Account to him to whom it shall belong. The Chapter also shall be expressly obliged, within eight Days after the Decease of the Bishop, to name an Official or Vicar, or to confirm him that is already, who shall be a Doctor, or Licentiate at least, in the Canon Law, or otherwise as capable as can be procured. In case of Default, this Right of Deputation, shall devolve upon the Metropolitan. And if the Church be Metropolitane or Exempt, and the Chapter be said to be negligent, then the oldest Suffragan Bishop in the Metropolitane Church, and the nearest Bishop to the exempted one, shall appoint a sufficient Steward and Official. The Bishop afterwards, who shall be promoted to the vacant See, shall cause the Steward and Vicar, and all the other Officers and Administrators, who, during the Vacancy of the See, shall have been appointed by the Chapter, or by any Body else in their room, even though they should be Members of the Chapter, to give him an Account of whatsoever belongs to him, and of all their Functions, Jurisdictions, Administrations, or any other Employments; and shall have a Power of punishing those that shall have been faulty in their Office or Administration; though the aforesaid Officers shall have given in their Accompts to the Chapter, or its Deputies, and have received Acquittances or Discharges from them. The Chapter also shall be obliged to give the same Bishop an Account of any Papers belonging to the Church, if any such have fallen into their Hands.

Chan. XVII. It being a perverting of the Order of the Church, for one Church made to take up the Offices of several; the Holy Canons have holily decreed, that no Church-men shall be received in two Churches. But since many Persons, blinded with the Passion of wicked Covetousness, and deceiving themselves, not God, have no been ashamed to elude the Decrees already made by various Artifices, and to hold several Benefices at one time: The Holy Council, being desirous to restore the Discipline

which is necessary for the good Government of the Churches, doth by this present Decree, which it enjoins all manner of Persons, of whatsoever Titles, even though they have the Dignity of Cardinals, to observe, ordain, that for the future one only Ecclesiastical Benefice shall be given to the same Man, unless where that Benefice is not sufficient to maintain him to whom it is given creditably; for then he may be allowed to take another sufficient simple Benefice, provided they do not both require Personal Residence: And this shall hold, not only as to Cathedral Churches, but to all other Benefices, Secular and Regular, even those held by Commendam, of what Title or Quality soever; and those who hold at present several Parochial Churches, or one Cathedral and one Parochial Church, shall be absolutely obliged; all Dispensations and Unions for Life, to the contrary notwithstanding, to keep but one Parochial or one Cathedral Church, quitting the other Parochial Churches within six Months; otherwise both the Parochial, and all the other Benefices which they hold, shall be looked upon as *ipso jure* vacant, and, as such; may be given freely to proper Persons; nor shall those, that held them before, keep them with a safe Conscience after the limited Time, or detain the Profits of them. The Holy Council wishes however, that some convenient Provision may be made, for the Necessities of those that must resign, as the Sovereign Pontiff shall think most fit,

Chap. XVIII. Nothing does more promote the Salvation of Souls, than to be governed by worthy and capable Parish-Priests; that this Matter therefore may be better and more diligently managed, the Holy Council decreeth, that when a Parochial Church shall become vacant by Death or Resignation even in the Court of Rome, or by any other manner whatsoever; even though there should be room to alledge, that the Care belongs to the Bishop or the Church, and that it would be taken care of by one or more Priests; and this too, in those that are called *Patrimonial* or *Receptive* Churches, in which the Bishop usually committed the Care of Souls to one or more Ecclesiasticks, who, by this present Council, are obliged to undergo the Examination here underwritten; and moreover, tho' this Parochial Church should be reserv'd or appropriated generally or specially, even by virtue of some Indult or Privilege, granted in favour of any Cardinals of the Holy Roman Church, of any Abbots or Chapters; the Bishop, if there is Occasion, shall be obliged, as soon as he shall know that the Cure is vacant, to appoint a capable Vicar, with an Assignment, at his own Discretion, of a suitable Portion of the Profits, to do the Duties of that Church till it shall be provided with a Rector.

In order hereunto, the Bishop, and he that has the Right of Patronage, shall, within ten Days, or such other Time as the Bishop shall prescribe, nominate some Clerks who shall be able to govern a Church, and this before the Commissioners appointed to examine them. It shall be free however for others, who shall know any Churchmen fit for such an Employment, to give in their Names, that an exact Information may afterwards be taken of the Age, Morals, and Capacity of every one of them: And if the Bishop, or Provincial Synod, shall think it advisable, according to the Custom of the Country, they shall issue out a publick Mandate for those that shall have a mind to be examined to present themselves. When the Time set is past, all whose Names have been taken shall be examined by the Bishop; or, if he is engaged, by his Vicar General, and the other Examinators, not fewer than three; to whose Votes, if they be equal or singular in their Opinions, the Bishop, or his Vicar, may join as he likes best.

As for the Examinators, six at least shall be proposed every Year by the Bishop or his Vicar General,

The History of the Council of Trent. in the Diocesan Synod, who shall be such, as may deserve to be liked and approved there. When any Church shall happen to be void, the Bishop shall choose three out of them to make the Examination with him; and afterwards, when another shall fall void, he may choose the same again, or three others whom he pleases out of the six. These Examinators shall be Masters or Doctors, or Licentiates in Divinity or Canon-Law, or such as shall be judged to be most capable of that Employment among the other Clergy, whether Secular or Regular, or even Mendicants; and they shall all swear upon the holy Gospel of God, to execute that Office faithfully, without regard to any human Interest. They shall take care, that they take nothing upon the account of such Examination, either before or afterwards, otherwise both they and the Givers shall incur the Guilt of Simony; from which they cannot be absolved, unless they quit the Benefices which they were possess'd of before in any manner whatsoever; and they shall be incapable of ever possessing any others. And of all these Things they shall be obliged to give an Account, not only to God, but, if there is occasion for it, to the Provincial Synod, which shall punish them severely at Discretion, if it shall discover that they have done any thing contrary to their Duty.

The Examination thus made, all whom the Examinators shall judge capable and proper to govern a vacant Church for the maturity of their Age, their Manners, Learning, Prudence, all other Qualities necessary for such an Employment, shall be declared to be so qualified; and out of these, the Bishop shall choose him whom he shall judge to be most preferable to all the rest, and to him, and none else, the Church shall be collated by him to whom the Right of Collation belongs.

If the Patronage be Ecclesiastical, and the Institution belongs to the Bishop, and to none else, he whom the Patron shall judge to be most worthy among those whom the Examinators shall approve of, shall be presented by him to the Bishop, to be instituted: But when Institution is to be given by some body else besides the Bishop, then the Bishop alone shall choose the worthiest out of those that are worthy, whom the Patron shall present to him, to whom the giving of Institution does of Right belong.

But if the Patronage be Lay, he that shall be presented by the Patron, shall be examined by the same deputed Commissioners, as abovesaid, and shall not be admitted, unless he be found capable. And in all the above-mentioned Cases, no Man shall be provided to a Church, but one that is examined and approved by the Examinators, according to the Rule above laid down; nor shall any Devolution or Appeal be lodged with the Apostolical See, the Legates, Vice-Legates, or Nuncio's of the holy See, or with any Bishops, Metropolitans, Primate or Patriarchs, stop the Effect of the Examiner's Report, or hinder its being put in Execution; otherwise, the Vicar, whom the Bishop appointed at his own Discretion to take care of the vacant Church for a time, or whom he shall perhaps afterwards appoint, shall not be removed, till either he himself, or some other Person appointed or chosen as above, shall be provided to it; and all Provisions or Institutions, made out of the aforesaid Form, shall be esteemed Surreptitious; all Exemptions from this Decree, Indults, Privileges, Preventions, Appropriations, new Provisions, Indults granted to particular Universities, even to a certain Sum, or any other Impediments whatsoever, to the contrary notwithstanding.

But if the Revenues of the Parish be so small, that they will not bear the Labour of this whole Examination; or that no Man desires to undergo it; or if, upon account of the open Divisions and Factions which are to be found in some Places, there is Reason to fear, That greater Quarrels and Tumults may arise upon that Occasion: The Ordinary may omit these Formalities, if, with the Advice of the deputed Commissioners, he shall in his Conscience think it

The History of the Council of Trent. expedient, and stick to a private Examination, only observing the other Things above prescribed; and if the Provincial Synod thinks any thing ought to be added to, or remitted in, the Form of Examination, it may take care of it.

Abolition of Mandates and Gratia Ex-petativa's. Chap. XIX. The holy Council decreeth, That Mandates of Provision and what they call *Gratia Ex-petativa's*, shall for the future be granted to none, to no Colleges, Universities, Senates, or particular Persons; not even under the Name of *Indults*, or to a certain Sum, or under any other Pretence whatsoever, and no Man shall use any already granted. No *Mental Reservations*, or any other Graces whatsoever for the future, relating to Benefices to be vacant, nor any Indults upon foreign Churches and Monasteries, shall be granted to any, not even to the Cardinals of the holy Roman Church; and whatsoever has been hitherto granted of that sort, shall be void.

Of ecclesiastical Causes. Chap. XX. All Causes which do in any manner belong to the ecclesiastical Jurisdiction, even Beneficiary ones, shall be tried in the first Instance only before the Ordinaries of the Place; and they shall be entirely determin'd within two Years at least, reckoning from the Time in which the Suit was begun; otherwise, after that Time, both Parties, or either of them, shall be at Liberty to apply themselves to the superior Judges, if they are but competent; who shall take the Cause in the State in which they shall find it, and shall take care to determine it as soon as possible; but before the two Years are expired, these Causes can be committed to none but the Ordinaries; nor can any superior Judge whatsoever call them up, or receive any Appeal from either of the Parties; nor shall they grant any Commission or Inhibition, unless it be from a definitive Sentence, or from one that has the Force of a definitive Sentence; the Grievance of which can no ways be redress'd, but by an Appeal made from a definitive Sentence.

Those Causes which, according to Canonical Sanctions, ought to be tried before the Apostolical See, are to be excepted from this Rule; or where the sovereign Pontiff, for urgent and reasonable Causes, shall think it necessary by a special Rescript, signed by his Holiness himself, to commit a Cause, or to call it up to himself.

Matrimonial and criminal Causes shall not be left to the Judgment of the Dean, Archdeacon, or other inferior Officers, even during their Visitations; but shall be left to the sole Cognizance and Jurisdiction of the Bishop, even though there should be a Suit depending between a Bishop and the Dean, the Archdeacon, or other inferior Officers, in any Instance whatsoever, concerning the Cognizance of these sort of Causes.

If in any matrimonial Cause, one Party makes before the Bishop a real Attestation of his Poverty, he shall not be compelled to plead out of the Province, not in the second or third Instance, unless the other Party will maintain him, and bear the Expence of the Suit.

Legates, even a *Latere*, Nuncio's, ecclesiastical Governors, and others, shall, by virtue of no Faculties or Powers whatsoever, not only not presume to hinder Bishops in the abovementioned Causes, or to take away their Jurisdiction, or disturb them in any manner; but shall not so much as proceed against any Clerks, or any other ecclesiastical Persons, till the Bishop has been first applied to, and been found negligent; otherwise all their Proceedings and Decrees shall be null; and they shall be obliged to give Satisfaction to the Parties concerned for the Injury which has been done them.

Besides, if any one appeals in Cases allow'd by the Law, or complains of any Injury that has been done him, or otherwise recurs to another Judge, upon the two Years being expired, as abovesaid: He shall be obliged to transmit, at his own proper Costs and Charges, all the Acts of the Proceedings before the Bishop, to the Judge of the Appeal, and to give Notice of it beforehand to the Bishop, that so,

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if he thinks there is any thing of which he can inform the Judge of the Appeal, so as to instruct him in the Cause, he may acquaint him with it; but if the Defendant shall appear, he shall be obliged to pay his Proportion towards the Charge of transmitting those Acts, if he intends to make use of them, unless the Custom of the Place be otherwise; namely, for the Appellant to be at all the Charge himself.

The Notary also shall be obliged to give the Appellant a Copy of the Acts, as soon as possibly he can within a Month at farthest, paying reasonable Charges for the same: And if he shall fraudulently delay to deliver those Acts, he shall be suspended from the Execution of his Office at the Pleasure of his Ordinary, and condemn'd in double the Charge of the Suit, to be divided between the Appellant and the Poor of the Place; but if the Judge himself is privy to, and concern'd in that Delay, or shall any other way obstruct the Delivery of the entire Acts to the Appellant within the time, he shall be obliged to give double Costs as before; all Privileges, Indults, Concordats, which oblige none but the Makers, and all other Customs relating to all the aforesaid Matters, to the contrary notwithstanding.

Declarati-
on concern-
ing the
Clause
Propo-
nentibus
Legatis.

Chap. XXI. The holy Council desiring, that no Difficulties may arise for the future upon the account of the Decrees which it has published, does for that Reason explain these following Words contained in

the Decree, published in the first Session under our most holy Father Pius IV. namely, *The Legates pre- siding and proposing there those Things, which to the ho- ly Council shall seem proper and convenient for the assua- ging the Calamities of the Times, appeasing the Diffe- rences concerning Religion, stopping malicious and deceit- ful Tongues, correcting the Abuses of depraved Manners, and settling a real and Christian Peace in the Church, may there be treated of:* And declare, that it never intended by these Words to alter the usual Method of doing Business in general Councils, or to make any Innovations in prejudice of any thing established already by the holy Canons, or by the Form of general Councils, by giving to, or taking any thing from any Person whatsoever.

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tory of the
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Lastly, the same holy Council enacteth and decre- eth, that the next Session shall be held upon Thurs- day after the Conception of the blessed Virgin Mary, which shall be the 9th. day of next December, only reserving to it self a Power of shortning that Time: And in that Session, the 6th. Chapter, which is de- ferred till then, and the remaining Chapters of Re- formation already presented, with others relating to the same Subject, shall be treated of. And if it be thought advisable, and if there be time for it, some remaining Points of Doctrine, which in their Rea- son shall be proposed in the Congregations, shall al- so be consider'd.

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prorogu'd
to Decem-
ber 9.

C H A P. XXI.

The History of what passed from the XXIV. Session to the Conclusion of the Council. Decrees and Canons of the XXV. Session.

Affairs of
Ambassa-
dors appro-
ved in
France.

THE French Ambassadors withdrew from Trent in the beginning of October, and went to Venice. The Cardinal of Lorrain, who did not approve of what they had done, wrote against them to the Court of France; but the Bishop of Orleans, who was come from Trent, having given the King's Council an Account of all that had passed, his Ma- jesty approv'd of his Ambassadors Conduct, of their Protestation, and Retreat to Venice, and command- ed du Ferrier to stay there till new Orders. The King wrote also to the Cardinal of Lorrain to justify his Ambassadors, and sent the Abbot Manne to him with a Memorial, containing the Reasons of his op- posing the Decree of the Reformation of Princes, and the Prejudice which the Articles that it contain- ed did to Kings, and particularly to his most Chri- stian Majesty.

Defence of
the Queen of
Navarre.

After the Queen of Navarre was cited, the King commanded Clutin d' Oisel to tell the Pope, that he was extremely displeased at the Report of what had been done against her; which he should never have believ'd upon the Rumours that had been raised, if he had not seen the Copy of the Monition that was set up at Rome; that he was bound to protect her, not only because her Cause included the common In- terest of all Kings, but because she was related to him both ways; and the Widow of a Prince who died the Year before fighting against the Protestants, and the Mother of two Orphans; so that he had more reason than any body to defend her, were it only in imitation of his glorious Ancestors; and be- sides, that he ought not to suffer a War to be made upon his Neighbour, upon pretence of Religion; that it was no good Work to desire to kindle a new War between the Crowns of France and Spain, so lately reconciled: That that Queen had great Fiefs in France, the Privileges of which Kingdom exempt- ed them from appearing any where else in Person, or by Proxy. He alledged several Examples of Prin- ces and Popes, who had proceeded with more Mo- deration: He said, the way of citing by Edict, in- vented by Boniface VIII. was moderated by Clement

V. in the Council of Vienna, as too rigorous, and even unjust: That these Citations could be valid on- ly against those who dwelt in Places where Access was not free; that since this Queen dwelt in France, it was to outrage the King and his State, to give the Goods which she possessed there, of which he had the Sovereignty, as a Prey to the first Seizer: That he was much surprized, that Pius IV. who had pres- sed the Interest of Anthony with the King of Spain with so much Warmth, should now desire to op- press his Widow and Children: That none of all those Princes, who had now for forty Years with- drawn themselves from the Church of Rome, had been so treated: An Argument that the Salvation of that Queen was not aimed at, that his Holiness should remember, that his Power was given him for the Good of Souls, and not to deprive Princes of their States, or to meddle with their Temporalities; which had formerly caused so great Troubles in Germany. The King therefore desired the Pope, to void all the Proceedings which had been made against the Queen of Navarre; protesting, that if that were not done, he would use the Remedies which his Ancestors had used before. He complained also of the Sentence given against the Bishops, and commanded d' Oisel to instruct the Pope with the ancient Custom of the Gallican Church, and the Authority which the most Christian Kings have in ecclesiastical Causes, desir- ing him to abstain from all these Innovations. D' Oisel executed his Commission with a good deal of Vehemence; and after divers Audiences of the Pope, he obtained, that the Queen and Bishops should be left at rest.

In the mean time, the Legates having taken mea- sures with the Cardinal of Lorrain and the Emperor's Ambassadors, as also with the Prelates of Otranto, Ta- rentum and Parma, three of the Pope's principal Crea- tures, how to close the Council in one Session; the Cardinal of Lorrain first proposed it, saying, he was obliged to go away with the French Bishops before Christmas; that he would willingly have seen an end of the Council, but that, after the Orders which he

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receiv'd from the King, he must leave that illustrious Assembly. The Imperialists also spread it about, That their Master long'd to see the Council at an End; and that the King of the Romans desired to have it closed by St. Andrew's Day, or the Beginning of December at farthest. The Truth was, that Prince solicited it, not to oblige the Pope, but because he was going to hold a Dyet, during which he was not willing that his Father's Ambassadors should be at the Council; because, as soon as ever it was up, Matters relating to Religion would go on much better in Germany.

Most of the Fathers heard all this with Pleasure; and Cardinal Morone held a Congregation in his Palace with the other Legates, two Cardinals, and twenty five Bishops, chosen out of all Nations; to whom he said, That since the Council was called chiefly for the pressing Necessities of Germany and France, and since the Emperor and the King of the Romans on one side, and the Cardinal of Lorrain and all the Princes on the other, desired to have it ended, he desired them to propose what Methods should be taken.

The Cardinal of Lorrain said, That it ought to conclude, That *Christendom* might be no longer kept in Suspence; and that the *Interim*, which was to last till the Council was ended, and could no otherwise expire, might be abolished: That the Continuation of the Council did only hurt the Church; nay, That it was necessary to have it dissolved, to prevent the holding of a National one in France. As to the Manner of closing it, he said, They had nothing to do, but to finish what remained of the Reformation the next Session; as also the Catechism, and the Catalogue of prohibited Books; which Things were now all ready; and leave the Remainder to the Pope, without disputing about Indulgences, or Images: Adding, That the Anathematizing of Hereticks, by Name, ought to be omitted; and that they ought to content themselves with doing that in general. The whole Assembly concluded to dissolve the Council some way or other, except the Archbishop of Granada, who said, He referred himself to the Ambassador of his King. Some body said, It was not possible to conclude the Council so soon, there being so many things to be treated of still; unless they gave notice of another, to be held ten Years hence, which should determine what was yet behind, because that would absolutely prevent all National Councils. The Bishop of Brescia was for going a middle Way between dissolving and suspending it: For, said he, *to dissolve the Council, is to drive the Hereticks to Desperation; and to suspend it, will be to discontent the Catholics.* But the Cardinal of Lorrain's Opinion seemed to be the best.

The Archbishop of Otranto said, Fulminations of Anathema's were necessary, and practised by all Councils: For, added he, many People are not capable of discerning of the Truth, or the Falsity of Opinions in themselves; and most Men are for or against a Thing, as its Authors please or displease them. The Council of Chalcedon, which was very full of learned Men, being desirous to know whether *Theodoret* the Great, Bishop of Cyrus, who offered to give an Account of his Faith, was a Catholic, desired of him no other Proof, but his explicate Anathematizing of *Nestorius*: If therefore the Council does not pronounce it against *Luther* and *Zuinglius*, and against their Followers, it may be said to have laboured in vain.

The Cardinal of Lorrain replied, That we must go as the Times will let us: That then the Differences of Religion lay between Bishops and Priests; the People then came in only as Accessories, and the great ones did not concern themselves with it, or, at least, if they leaned to any Heresy, they never made themselves Heads of it; whereas now the Heretical Ministers and Doctors cannot be called the Heads of their Sect; but Princes may, to whose Interests the others adjust their Opinions: That if they would

name the true Heads of the Heresy, they must cite the Queens of England and Navarre, the Prince of Condé, the Elector of Saxony, the Palgrave, and several other Princes of Germany; which would only unite them more together, in order to be revenged the better: That besides, should they only condemn *Luther* and *Zuinglius*, that would be enough to provoke the Princes to such a Degree, that it would certainly cause a great deal of Mischief and Scandal: That it was better therefore to be guided by what they could do, than by what they had a mind to do, and consequently keep to the general Proposition.

Cardinal Morone having communicated the Opinions of this Congregation to the Ecclesiastical Ambassadors, they all gave it in to that of the Cardinal of Lorrain; as did also the secular Ambassadors; excepting him of Spain, who answer'd, That he did not yet know his Master's Resolution; and that he desired Time sufficient to receive his Orders: But the Legates, willing to execute the Resolution that was taken, brought the Chapter of Princes upon the Board, in which they were mentioned with great Respect; the Council only desiring to hinder their Officers from violating the ancient Canons, made in favour of Ecclesiastical Jurisdiction, without entering any farther into particular Articles. That Evening there was another Congregation held; in which it was order'd, That two should be held every Day, till all the Fathers had given in their Opinions upon the other Articles of Reformation: Which they all did in few Words; except some Spaniards, who laboured as much to set Things backwards, as others did to put them forwards.

The greatest Difficulty that there was, was about the Sixth Chapter, concerning subjecting of Canons to Bishops: For on the one Hand, it was the Bishop's Interest to lessen the Authority of Chapters; and the Catholic King's Interest yet more, because of the Opposition which those Bodies gave him, when any Contribution was to be required of the Clergy, as it often happens in Spain: And on the other Hand, the Legates favoured the Chapters; which, with the Reason formerly mentioned, caused several of the Italians, who seemed formerly to be for the Bishops, to declare for the Canons. Vargas, to whom the Count de Luna had dispatched a Courier, interceded for the Bishops with the Pope: And when the Pope, according to his Custom, left it to the Council; he complain'd, That the Italian Prelates were suborned to change their Opinions: To which the Pope immediately replied, That they changed because they were free; but that the Agent for the Chapters did not withdraw freely from the Council, from whence he was driven: And then complain'd of the Cabals of the Count de Luna at Trent, to hinder the Conclusion of the Council. However he wrote to the Legates, as Vargas desired; but in such Terms, as did no Injury to the Chapter's Pretensions. And at last something was put into the Decree in favour of the Spanish Bishops, but much less than they demanded.

The Venetian Ambassadors pray'd, That Royal Patronages being excepted by the Ninth Chapter of Reformation, those of their Republick might also be comprehended. The Legates were willing to content them; but how to do it, they could not tell: For to except all the Republicks was too much; and to name that of Venice, might seem to provoke the Jealousy of others. The Expedient therefore which they made use of, was to say, *Excepting the Patronages of Kings, and of those that possess Kingdoms.*

In the Congregation of October 20. it was proposed, to desire the Pope to confirm all the Decrees of the Council. The Archbishop of Granada raised a Difficulty, by saying, That when the sixteenth Session suspended the Council in Julius III's Time, it commanded, that all its Decrees should be observed, without saying a Word of having them confirmed; so that to take any other Course, would be to condemn the then Fathers, who did not think a Con-

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Confirmation necessary to put their Decrees in Execution. He added, that he did not say this to blame such a Desire; but that the Fathers, being apprized of this Inconvenience, might take care to do it in such Terms as might not be prejudicial. The Archbishop of *Otranto* made answer, that the Decree which the A. B. of *Granada* urged, was so far from adding weight to his Objection, that it refused it; since it only exhorted Men to observe the Decrees then made, but did not command them; which was an Argument that those Decrees do not yet oblige, for want of being confirm'd. The A. B. of *Granada* yielding, it was unanimously resolved to desire a Confirmation; but how to do it, was not soon agreed upon: For several Fathers were against their breaking up till they had got it, saying, it concerned the Honour of the Holy See, and of the Council, and that it would look as if there were a Contrivance between the Holy See and the Council; whereas otherwise, if any Article were not confirmed, the Council must take care to provide for it. To content these Fathers, Cardinal *Morone* would have been willing, that next Session, which it was believed, would last 3 Days, because of the Quantity of Business then to be dispatched, upon the first Day a Courier might be sent away to *Rome*, to get the Pope's Confirmation; and upon his Return, another Session might be held, in which they should do nothing but dismiss the Council. But this Opinion also met with great Contradiction: For, said they, if the Pope must immediately go and confirm the Decrees without examining them, it will look like Collusion; and if we stay till the Pope has examined them, that will be a Work of several Months. At last the Cardinal of *Lorraine* remonstrated, That these Difficulties tended to prolong the Council; and that the King's Orders were pressing for him to return with the other *Frenchmen*, whether the Council were ended or no; and that, when they were gone, it could no longer be called General, because a whole Nation would be wanting; which, besides the Hurt that it would do to the Reputation of the Council, might cause many national ones to be called, and produce other Inconveniencies. This Half Protestation, join'd to the Solicitations of the Imperialists, was the Cause that after these Consultations it was resolved to desire the Pope's Confirmation, and to dismiss the Council in the same Session.

Du Ferrier refuses to return to Trent.

This Cardinal also wrote earnestly to *du Ferrier*, inviting him to return to *Trent*, since the Chapter of *Princes* was struck out. He answer'd, That he could not do it without an express Order from the King, who, in his Letters of the 9th, sent him Word, that he would send him back to *Trent*, as soon as he heard that that Chapter was corrected: However *du Ferrier* wrote back to *France*, that he did not think it was for the Service of the King for him to return to the Council, which still violated the Rights of his Crown, and the Liberties of the *Gallican Church*, in the Decrees which it was now going to publish.

Deliberations upon the articles of Purgatory, and the Invocation of Saints.

The Matter of the Reformation being in a good Forwardness, the Cardinal of *Warmia* was deputed, with eight Prelates, to draw up the Decrees of *Purgatory*, *Invocation of Saints*, and *Veneration of their Relicks and Images*: But tho' they all aim'd at avoiding Difficulties, yet they could not agree among themselves. Some were for mentioning the Place and Fire of *Purgatory*, as had been done in the Council of *Florence*: Others said, that as it was impossible to find Words, which every Man should approve of, upon so obscure a Subject; so they had better say nothing; but only, that the good Works of the Faithful are profitable for the Dead, to remit their Penalties. The Archbishop of *Lanciano* said, that since the Decree concerning the Mass had taught, that that Sacrifice is offer'd for the Dead that are not entirely purged, the Doctrine of *Purgatory* was sufficiently settled: So that they need only command the Bishops to cause it to be preached, to redress Abuses, and to take care, that the Faithful discharge their Duties, in praying as they ought for the Dead. And the Decree was drawn up to that purpose.

Concerning *Invocation of Saints*, they all agreed to condemn all the Opinions contrary to the Usage of the Church of *Rome*, distinctly: But in the Business of *Images*, there was some Difficulty: For the Archbishop of *Lanciano* maintain'd, that they ought to be honour'd only with relation to what they signify: And *F. Lainez*, one of the Deputies, added, that besides that Honour which is paid them, upon account of what they

represent, there is another due to them, which belongs only to them, when they are seated in a Place of Adoration. This Worship he called objective, the other relative: For, said he, as sacred Vessels and Vestments are worthy of the Reverence which is due to them as they are consecrated, tho' they represent no Saint; so Worship is due to an Image because of its Dedication, besides what is due to it by virtue of its Representation. The Cardinal of *Warmia*, that he might content the Archbishop of *Lanciano*, and the Jesuite, concluded to set down the Notion of the first, as being clear and easy; but without using any Terms which might contradict the other.

Some Prelates also were named to review the Decree of the Reformation of the Monks, Friars, and Nuns, along with those that drew it up, and with the Generals of the Orders. This Congregation made no Alterations but in the 3d Chapter, which allowed all *Mendicants* to possess real Estates, tho' it was against their Rule, at the Desire of *Fra. Zamora*, General of the *Observantins*, who desired that his Order might be excepted; alledging, that they would keep to the Rule of *S. Francis*, from which it was not just to exempt those that did not desire it. This was allow'd him; as also to *Tho. di Castello*, General of the *Capuchins*. *F. Lainez* desired the same thing for his Society; saying, that tho' its Colleges might possess immovable Revenues, having been founded to maintain Abundance of Students not yet profess'd; yet the profess'd Houses, in which the Essence of his Society consisted, could only live upon Alms: But next Day he desired, that the Exception which had been granted him, might be revoked; saying, that the profess'd Houses of his Society pretended to live always as *Mendicants*; but then they did not care to have Honour of Men, being content with the Merit they should have with God, to whom it would be the more well-pleasing; because when they could take the Advantage of the Council's Permission, yet they should never make use of it. Thus the Jesuits who were in the Council, found out a Way of having it always in their Power to make use of this Concession if they had a mind.

The 15th Chapter decreed, That none should be profess'd till they were 18 Years old compleat; and that the Noviciate should be two Years at least, without regarding the Age of the Novice. This all the Generals opposed; saying, that it was not just to hinder any of those that were capable of knowing the Obligations of their Vows, from going into a Religious Order: That 16 was thought by the Church to be a proper Age, when the World was not so refined; and consequently, that it was more reasonable to anticipate that Term now, than to prolong it: And they gave the same Reasons against the two Years of the Noviciate. It was accordingly therefore resolved to make no Alterations in that Matter to content them.

Besides the two and twenty Chapters which were publish'd in the Session, there was another which allow'd Provincials, Generals, and Heads of Orders, to expel the Incorrigible, and pluck off their Habit. But *John Antonio Facchinetti*, Bishop of *Nicastro*, opposed it vehemently; saying, that Professing, and the Act of Reception, are a Sort of Marriage, by which the Profess'd are bound to the Convent, and the Convent to the Profess'd; so that as these cannot withdraw, so neither can that expel them: That besides, this Decree would fill all Cities with stripp'd Monks, to the great Scandal of the Seculars. On the contrary, the Archbishop of *Rossano* said, It was not with a Convent and the Profess, as with Husband and Wife; but as with Father and Son: That the Son cannot renounce his Father, but the Father can expel and disinherit his Son when he is disobedient: And that it was much better to see Monks degraded in Cities, than to keep Libertines in Monasteries. The Generals were not agreed about it. The Generals for Life were for the Expulsion; and the Triennial ones were against it: But most of the Fathers were for leaving Things as they were; as it usually happens when a Multitude debates. After it had been said and relaid an hundred times in that Assembly, that it would give great Scandal to the People, to see Men become Seculars again after they had worn the Habit of an Order for several Years; they fell upon the Question of *Tacit Profession*, namely, whether they ought to declare it Good, as it had been hitherto; or to define, that no *Profession*, but what is express, can be Obligatory.

This also had its Difficulties ; but at last it was resolved, That the Superior of a Convent should be obliged to send back a Novice, or to admit him to be profess'd at one Year's end : And this Clause was added in the sixteenth Chapter, as in its proper Place.

F. Lainez commended this Decree extremely, as very necessary ; but desired an Exception for his Society, alledging, That their Condition was very different from that of other Orders, in which, by a very ancient Custom, and even by the Approbation of the holy See, tacit and mental Profession was practised, which his Society never admitted : That the Scandal which other Religious gave, when they appeared in a Secular Habit, after having worn a Religious one a long Time, was not to be feared from the Jesuites, whose Habit did not at all differ from that of the Seculars : And that the holy See had allow'd their Superiors, to admit no Novices to be Profess'd till after a long Time, which no other Order had ever obtained. All the Fathers were inclined to content Lainez : But when they came to put the Exception into the Decree, the Rules of Latin required them to speak in the Plural in these Words, *Per hæc, i. e. By these Regulations the Council intends to make no Alteration with relation to the Clerks of the Society of Jesus ;* (b) without considering that the Words *Per hæc* might relate to the fifteen foregoing Chapters, as well as to the Clause of admitting or dismissing at the Year's end ; which might give Men Grounds to believe, that that Society is not bound by those Decrees, tho' that be against the Intention of the Council.

The Congregation of Nov. 22. went on to consider Indulgences. Several were for letting that Matter quite alone, as too knotty and too large, since they were resolved to avoid Difficulties : But some said, The Hereticks would have Reason to say, That they avoided to speak of Indulgences, because they could not tell what to say for them. Others believed they needed only treat of their Use, in order to take away the Abuses which had crept in through length of Time.

The Portuguese Ambassador said, He had Reason to complain, because they had determin'd nothing concerning *Crusades ;* (c) but he was willing to be silent, lest some should take occasion from thence to prolong the Council. Tho' the Emperor's Ambassadors press'd to have it concluded, pursuant to their Master's Orders, yet they did not agree upon one Point. The Archbishop of Prague was for letting *Dogmes* alone ; and the Bishop of five Churches said, If they did that, and did not remedy the Abuses concerning *Relicks, Images, and Purgatory,* the Council would be despised.

The Bishop of Modena represented, That if they would treat of Indulgences, as they had done of *Justification ;* that is to say, examine all, and resolve Difficulties ; it would be a very long Work : It being impossible to clear that Matter, without first deciding, Whether they are *Absolutions, Compensations, or Suffrages ?* And whether they deliver only from the Penalties imposed by the Confessor, or from all that are due ? And likewise, Whether the Treasure, on which they are founded, consists in the sole Merits of Jesus Christ ? Or whether there is a Necessity of calling in the Merits of the Saints ? Whether Indulgences can be given, without the Receiver's doing any thing on his Part ? Whether they extend even to the Dead ? &c. But then to define, that the Church has a Power of granting them, and has granted them in all Times ; and that they are of great Advantage to those that receive them worthily ; there need not be so much disputing. The Pow-

er of granting them, is proved by Scripture ; their Use, by Apostolical Tradition, and the Testimonies of Councils ; and their Certainty, by the unanimous Consent of the Schoolmen : And then, upon that Foot, a Decree might be formed about them, which would pass without Difficulty. This Opinion found many Favourers ; and that Bishop was deputed, with other Bishop-Monks, to draw up the Decree in that manner, with a Regulation of their Abuses.

In the following Congregations they treated of the *Catalogue of Books, the Catechism, the Breviary, the Missal and the Ceremonial.* All the Decisions that had been made in the particular Congregations of the Prelates Committees, relating to these Matters ever since the Council was begun, were read there : And this had like to have occasioned a very great Dispute ; some affirming, That the Censure of certain Books and Authors was unjust ; and others complaining, That they let a great many pass which deserved much more to be censured. There was not less Difficulty about the *Catechism* : Some said, It was not for the Use of the whole Church, in which the Simple are more numerous than in all the rest ; others were for putting yet higher Things into it. There was the same Perplexity about the *Rituals* : Several were for having an absolute Uniformity throughout the whole Church ; whilst others defended the particular Ceremonies of their respective Dioceses. The Legates, who saw it would take up above a Year to decide all this, proposed to leave it to the Pope : To this some Prelates did not consent ; and the Bishop of *Lerida* made a long Discourse, to shew, That if any thing deserved to be done by a Council, it was a *Catechism and Rituals* ; one as the chief Book in the Church after the Creed, and the others as Books which ought to hold the second Place : That if they would correct the *Rituals,* they ought to have an exact Knowledge of Antiquity, and of the Customs of Countries : That that Knowledge was not to be found at the Court of *Rome* ; which, tho' it was filled with great Genius's, yet wanted Men versed in that sort of Studies which is necessary to do Things worthy to be transmitted to Posterity : This might be much sooner hoped for from a Council. But he was scarcely heard by the Fathers, who thought now of nothing but concluding it.

Nov. 22. the Count de Luna presented a Paper, in which he complained, That the Things for which the Council was chiefly called, were omitted ; and that they had precipitated all the rest : Adding, That now they intended to close the Council without the King his Master's Knowledge ; and desiring them to stay for his Answer, and to hear the Opinions of the Divines upon the Points of Doctrine. The Legates answered, That Matters were gone too far to go back ; and that it would be impossible to detain so many Bishops who were now ready to go away. The Count de Luna reply'd, That if the Council broke up without acquainting his Prince with it, he would be obliged to do more than he had a mind to do. The Legates dispatched a Courier to the Pope ; and the Count writ to Vargas, to get him to act vigorously with his Holiness : But Vargas did not care to speak any farther ; either because when the Courier arrived, the Pope was fallen dangerously ill ; or because he had told him some Days before, That he would not take away the Liberty of the Council, for which the Catholick King did so much concern himself. It is certain, that when Vargas said one Day *The Council ought to be kept open, because all the World desired it ;* the Pope made answer, *What World is that ?* And when the other said, *Spain ;* the Pope bid him

[(b) *Per hæc Sancta Synodus non intendit aliquid innovare aut prohibere, quin Religio Clericorum Societatis Jesu, &c.*]

[(c) These *Crusades* were Bulls granted by the Popes to the Kings of Spain and Portugal, with great Indulgences ; of the same Nature with those formerly granted in order to raise Money to recover the holy Land. They constitute still a very considera-

ble Part of the King of Portugal's Revenue : And the Pretence of their present Publication, is to enable His Portuguese Majesty to maintain the Fortress of *Mazagam,* which he holds upon the Coast of *Barbary,* among the Monks who are *Mahometans.* See *Colbatch's Account of Portugal, Part I. Sect. 2.*

write into Spain, for them to buy a Ptolomee; which as soon as they had opened, they would find that Spain is not the whole World. The Legates used all their Rhetorick with the Count de Luna, and they were seconded by the Cardinal of Lorrain and the Imperialists; but when neither of them could make him alter his Notions, that Cardinal and the Ambassadors solicited directly against him; the first in the Name of France, and the others in the Emperor's and the King of the Roman's Names; and the Legates in the mean time, who had Orders to finish the Council, even whether the Count de Luna would or no, made what Haste they could to get every thing ready.

Dec. 1. in the Evening there came a Courier from Rome, with News, that the Pope was very dangerously sick; and with Letters from Cardinal Borromeo, for the Legates, and for the Cardinal of Lorrain; desiring them to close the Council as soon as they could, and to concern themselves for no body, in order to prevent the Inconveniences which might arise from the Election of the Pope, if there should be a Vacancy before the Council was up. In these Letters there were some Words written with the Pope's own Hand, to strengthen the Premises. The Cardinal of Lorrain was desired to remember what he had promised: And it is certain, that the Pope had resolved to create eight Cardinals if his Sicknes continued, and to give order that his Successor should be chosen without any Noise. The Legates therefore, and the Cardinal of Lorrain, being resolved to anticipate the Day of the Session, and to close the Council within two Days, that there might be no News of the Pope's Death till all was over, acquainted the Ambassadors with the News which they had receiv'd from Rome, and with their Resolution; and then treated with the principal Prelates. None stood out but the Count de Luna, who said, that he had Orders, if the See should happen to be vacant, not to suffer a Pope to be made by the Council; and so nothing obliged them to use any Precipitation in closing it. Cardinal Morone on the contrary said, that he knew certainly, that du Ferrier, who was still at Venice, had a Commission to protest, that France would obey no other Pope but whom the Council should choose: So that they must of necessity put an end to it, to avoid any Difficulty. The Count de Luna held a Conference with the Spanish Bishops at his own House; and spread abroad a Report, that he would protest. But for all that the Legates held a Congregation next day; in which the Decrees concerning Purgatory, and Invocation of Saints, which the Cardinal of Warmia and the other Commissioners had drawn up, were read; and afterwards the Reformation of religious Orders: All which were receiv'd in a manner without any Contradiction.

Then the Decree concerning Reformation in general, was read. In the first Chapter, in which Bishops are forbidden to enrich their Kinsmen and Domesticks with the Goods of the Church, it was said, Being appointed to be Stewards for the Poor. The Bishop of Sulmo objected, that since the Portions of the Poor, the Fabrick, and the episcopal Table, were divided by an ancient Canon; we ought not to say, that Bishops and other Beneficiaries were only Stewards, because at that rate they would be obliged to Restitution; which they could not say: But on the contrary they were Masters of their Portion, tho' they sinned, and incurred the Wrath of God, if they made an ill Use of it; as every Man sins that misemploys his Patrimony. Upon this they reason'd long; most of them affirming, that Beneficiaries are Masters of the Profits or Usufructuaries; others saying, they had only the bare Use. Some approved the putting in the Word Steward into the Decree; and quoted the Passage of Scripture about the faithful Servant, and the Doctrine of all the holy Fathers: But there being a Necessity to finish the Council, that contested Clause was suppress'd, to take away all Difficulties.

Upon the Chapter of Patronages, the Ambassadors

of Savoy and Florence desired, that the Patronages of their Masters might also be excepted; or else, that they would except none but those of Kings. The Congregation contented them, by taking in great Princes into the Exception.

Then it was propos'd to read in the Session all the Decrees that were made under Paul 3d. and Julius 3d. that they might be approved: But the Bishop of Modena said, that that would be to derogate from the Authority of those Decrees, and to shew that the Council of Pius 4th. was not the same with that of Paul 3d. or of Julius 3d. since no Man confirms his own Acts. Others answer'd, that was the very Reason why they ought to be confirmed, lest they should be invalidated, by saying that they were not the Decrees of the same Council. The French, who formerly had desired so earnestly to have it declar'd, that this was not a Continuation of Paul 3d's and Julius 3d's Council; now took more Pains than all the rest, to shew, that there was no Pretence of doubting whether all the Acts made from 1545, to the End of the Year 1563, were made by the same Council. All the Fathers therefore having the same Aim, it was resolv'd barely to read those Decrees, without saying any thing else; which would plainly shew the Unity of the Council, and besides it would avoid the Difficulties which the Word Confirmation might draw after it: So that every Man would have liberty of judging, whether from the Reading of these Decrees it would follow, that they were confirm'd, and declared good; or whether it ought to be interred, that the Council which read them was the same with that which made them.

Last of all, it was propos'd to hold the Session the next Day, and to continue it the Day after as the same Session, if all could not be done in one Day; and then to dismiss the Fathers, and to sign all the Acts of the Council the Sunday following. Fourteen Spanish Bishops oppos'd it, saying, that there was no need of anticipating the Time: But for all that, Cardinal Morone declared that the Session should be held. Then the Cardinal of Lorrain and the Imperialists set again upon the Count de Luna, begging of him to consent to a Deliberation taken by common Consent. At last he did so; but with a great deal of Difficulty, and upon two Conditions: First, that it should be said, that the Pope would provide for what remained: Next, that when they spake of Indulgences, it should not be said, that they might be given gratis; and that no Words should be used that might prejudice the Crusades of Spain.

Dec. 3. the Fathers went to Church with the accustomed Ceremonies: Mass was said there by the Bishop of Sulmo; and the Sermon was preached by Jerome Ragazzoni, Bishop of Nazianzum. He call'd all Nations to see that happy Day, in which the Temple of God was rebuilt; and the Ship came to Port, after a long and furious Tempest. The Joy, he said, would have been much greater, if the Protestants would have born a part in the Construction of that great Building; but that was not the Council's Fault: That a City in Germany was chosen to hold it in, which was as it were in their Port, not fortified with any Guard, that they might have nothing to fear for their Liberty: That they had been pray'd, invited, and expected: That nothing had been spared to cure them, either as to the Explication of the Points of the catholick Faith, or as to the re-establishing of the Discipline of the Church. He recapitulated all the Decrees made by the Council, concerning Matters of Faith; and shew'd how many Abuses, in Matters of Ceremony, had been redress'd: That tho' there had been no other Reason of calling the Council, yet there would always have been occasion for one to stop the Course of clandestine Marriages. Afterwards, when he came to the Decrees concerning Reformation, he shew'd, from step to step, the Advantage which they would bring to the Church; adding, that this Council had taken more Pains than all the preceding ones, about Reformation

The History of the Council of Trent. formation of Manners: That the Arguments of the Hereticks have been several times examined, and often with a good deal of Eagerness; not that there was any Dissention among the Fathers, since there could be none where all were of one Mind; but that the Truth might be laid open in the same manner that it would have been, had the Hereticks been present. He conjured all the Prelates, to cause the Decrees, as soon as ever they got Home, to be put in Execution; and, next to God, to thank *Pius IV.* who had spared neither Pains nor Cost to bring the Council to a happy Conclusion. He commended the Legates, especially *Morone*, for putting the last Hand to this great Work; and concluded with a Panegyrick upon all the Fathers.

Then the Decrees of Doctrine and Reformation were read. The first, concerning *Purgatory*, is as follows.

Decree concerning Purgatory. 'The Catholick Church being instructed by the Holy Ghost, having always taught, pursuant to the Holy Scriptures, and the Ancient Tradition of the Fathers in former Holy Councils, and besides lately in this General Council, that there is a Purgatory; and that the Souls there detained are comforted by the Suffrages of the Faithful, especially by the acceptable Sacrifice of the Altar: The Holy Council commandeth Bishops to take particular Care, that the Faith, and Belief of the Faithful, concerning Purgatory, be conformable to the Holy Doctrine handed down to us by Holy Fathers and Holy Councils; and that it be every where so taught and preached. That they banish out of Publick Sermons, made before the rude and ignorant Multitude, all Subtil and Intricate Questions upon this Subject, which do not at all tend to Edification, and which are usually of no Advantage for Piety. That they hinder also all Things that are uncertain, or seemingly false, to be started or disputed of: And that they forbid whatsoever looks like Curiosity or Superstition, or filthy Lucre, as scandalous and offensive to the Faithful: And that they take Care, that the Suffrages of the Faithful; such as Masses, Prayers, Alms, and other Works of Piety, which are customarily performed by the Faithful here for the Faithful that are departed, be offer'd with Piety and Devotion, according to the Usages of the Church: And that what is due to them by Testamentary Donations, or otherwise, be paid with Care and Exactness, and not Slightly, by the Priests and Ministers of the Church, who are bound to do it.

This Decree was followed by another, relating to the *Invocation of Saints* and their *Worship* and to *Images*, in these Words.

Decree concerning Invocation and Worship of Saints and Images. 'The Holy Council commandeth all Bishops, and all other Men, upon whom the Care and Office of Teaching the People is incumbent, that according to the Usage of the Catholick and Apostolical Church, which has been received from the Earliest Ages of the Christian Religion, and agreeable to the unanimous Consent of the Holy Fathers, and the Decrees of the Holy Councils; in the first place, carefully to instruct the Faithful in what relates to the Intercession and Invocation of Saints, the Honour due to Relicks, and the lawful Use of Images: Teaching them, that the Saints, who reign with Jesus Christ, offer up their Prayers to God for Men: That it is a good and profitable Thing to call upon them with Humility; and to have recourse to their Prayers, Aid and Assistance to obtain Grace and Favour from God, through his Son Jesus Christ our Lord, who is our only Redeemer and Saviour: And that those harbour impious Thoughts, who deny that we ought to invoke the Saints that enjoy Eternal Happiness in Heaven; or who

The History of the Council of Trent. affirm, that Saints do not pray to God for Men; or, that it is Idolatry to invoke them, that they may pray for every one of us; or, that it is repugnant to the Word of God, and injurious to the Honour which is due to Jesus Christ, the only Mediator between God and Men; or, that it is a foolish thing to pray, either Vocally or Mentally, to the Saints who reign in Heaven.

'That the Faithful also ought to pay a Veneration to the Holy Bodies of the Martyrs, and of the other Saints, who live with Jesus Christ; these Bodies having formerly been the living Members of Jesus Christ, and Temples of the Holy Ghost, by whom they are hereafter to be raised again to Eternal Life, and cloathed with Glory; God himself also doing much Good to Men by their Means: So that those that affirm, that no Honour or Veneration is due to the Relicks of Saints; or, that they, with other Sacred Monuments, are revered to no Purpose; and, that holy Places are frequented in Memory of them, tho' in Hopes of Advantage, yet without Profit; ought absolutely to be condemned, as the Church has formerly condemned them, and does so again by this Decree.

'Moreover, that the Image of Jesus Christ, of the Virgin-Mother of God, and of other Saints, ought to be kept and preserved, especially in Churches; and that the Honour and Veneration ought to be paid to them, which is their due: Not that any Divinity or Virtue is believed to be in them, for which they should be worshipped; or that any thing is to be asked of them; or that any Confidence is to be placed in them; as the Gentiles formerly did, who placed their Hope in Idols: But because the Honour which is paid to them, is referred to the Originals which they represent, so that by the Images, which we kiss, and before which we uncover our Heads, and prostrate ourselves, we adore Jesus Christ, and venerate the Saints whom they resemble; as has been decreed and declared by the second Council of *Nice* particularly, and by other Councils, against the Opposers of Images.

'The Bishops also shall carefully teach the People, that the Histories of the Mysteries of our Redemption, express'd by Pictures and other Representations, are designed for their Instruction, and to confirm them in the Articles of Faith, which they ought continually to bear in Memory: And also, that great Advantage may be reaped by all Holy Images: Not only because the People are thereby put in mind of the Benefits and Gifts which they have received from Jesus Christ; but also because the Miracles which God has wrought by the Saints, and the saving Examples which they have set us, are by this Means continually set before the Eyes of the Faithful, that they may thank God for them, and conform their own Lives and Manners to the Imitation of the Saints, and be stirred up to worship and love God, and to live religiously. If any Man teacheth, or thinketh contrary to these Decrees, let him be *Anathema*.

'If any Abuses have crept in amongst these Holy and Salutary Customs, the Holy Council extremely desires that they may be entirely abolish'd; that so no Images which may teach false Doctrine, or may give Occasion to Ignorant People to fall into any dangerous Error, may be set up. And if at any time any such Figure, or Picture of the Histories and Events contained in Scripture, as shall be thought advisable for the Instruction of the People that are unlearned, shall be made; the People shall be taught, that it is not pretended that the Divinity is represented thereby, as if he could be perceived with Bodily Eyes, or express'd by Colours or Figures.

'Moreover, all Superstition in the Invocation of Saints, the Veneration of Relicks, and the Sacred Use of Images, shall be taken away; all filthy Lucre shall be removed; and in short, every thing that

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that is Immodest shall be avoided; that so neither in the Ornaments, nor in the Painting of the Images, there may be any thing affected, or indecent: And that the Solemnities of the Festivals of the Saints, and the Voyages which are undertaken to pay Honour to Relicks, may not be abused to Revellings and Drunkenness; as if the Holidays, which are observed in Honour of the Saints, ought to be spent in Debauchery and Disorder.

Last of all, the Bishops shall in all this use so great Care and Application, that no Disorder, or Tumult, or Excess, shall appear: In a Word, nothing that is Profane, or contrary to Good Manners; since Holiness becometh the House of God.

And that these Things may be the more exactly observed, the Holy Council ordaineth, that no Person whatsoever shall erect, or cause to be erected, any unusual Image in any Place or Church, what Exemption soever it may plead, without the Approbation of the Bishop: Nor shall any New Miracles or New Relicks be admitted or received, till the Bishop has taken Cognizance of them, and approved them; who as soon as he shall have any Notice given him of such Things, shall call in some Divines, and other Pious Men, and with their Advice shall act as he shall judge to be agreeable to Truth and Piety. But if any doubtful or difficult Abuse be to be rooted up, or if any important Dispute shall arise concerning these Matters, the Bishop shall, before he determine any thing, stay for the Opinion of his Metropolitan and Provincial Bishops in a Provincial Council; but yet so, that nothing new, or that has been before unpractised in the Church, shall be decreed, without first acquainting the most Roman Pontiff therewith.

The same Holy Council going on with the Business of *Reformation*, has resolved to decree as followeth.

Decrees of Reformation, concerning Regulars and Monasteries.

Chap. I. The Holy Council knowing very well what Splendor and Profit arises to the Church of God, from Monasteries that are Piously and Frugently governed; and being desirous to provide, that the Ancient and Regular Discipline might the more easily and speedily be restored where it is sunk, and be more constantly kept up where it hitherto has been maintained; has thought it necessary to Enact, as by this Decree it Enacteth, that all Regulars, both Men and Women, shall order their Lives and Conversations suitably to the Rule which they have profess'd: And especially, that they faithfully observe the Things which relate to the Perfection of their Profession; such as are the Vows of Obedience, Poverty and Chastity, and all other particular Vows and Precepts belonging to peculiar Rules and Orders, which constitute their respective Essence; and all that relates to their Common Living, Eating or Habit. And the Superiors shall use their utmost Care and Diligence, both in their General and Provincial Chapters, and in their Visitations, which they shall not omit to make in their proper Seasons, that these things may not be departed from; since it is certain, that it is not in their Power to relax any thing that belongs to the Essence of a Regular Life: For if those things which are the Basis and Foundations of all Regular Discipline be not exactly observed, the whole Building must of Necessity tumble down.

Chap. II. No Regular therefore, whether Man or Woman, shall hold or possess as proper, or even in the Name of the Convent, any Goods moveable or immoveable, of what sort soever they be, or what way soever acquired; but such Goods shall immediately be put into the Superior's Hands, and Incorporated into the Convent. Nor shall any Superiors for the future grant any real Estate to a Regular, not so much as to constitute him *Usufructuary*, or

to give him the Use; or to let him hold it by way of Admiration or Commendam. But the Administration of the Goods of Monasteries or Convents shall only belong to the Officers of those Houses, who shall be Removeable at the Will of their Superiors. For what is Moveable, the Superiors shall allow particular Persons, so far as can be consistent with the state of Poverty which they have Vow'd; and shall take care that they have nothing superfluous, nor be deny'd any thing that is necessary. And if any one be taken or convicted of possessing any thing otherwise than in this manner, he shall be deprived for two Years of an Active and Passive Voice, and be punished besides, according to the Constitutions of his Rule and Order.

Chap. III. The Holy Council gives all Monasteries and Houses, as well of Men as Women, even of *Mendicants*, even of those who by their Constitutions are forbidden to have any, or who have had no Concession by an Apostolical Privilege, excepting the Houses of the *Friars of St. Francis*, of the *Capuchins*, and of those that are called *Minors of Observance*, leave for the future to possess *Real Estates*. And if any of those Places, which by Apostolical Authority were permitted to possess such sort of Goods, have been Robbed of them; the Holy Council commands, that they be all restored to them again. In all Monasteries and Houses, both of Men and Women, whether they possess *Real Estates* or not, there shall not be a greater number of Persons settled and kept for the future, than can be conveniently maintained, either out of the proper Revenues of the Monasteries, or by the accustomed Alms: Nor shall any such Houses be founded for the future, without the License of the Bishop of that Diocese in which they are to be enacted.

Chap. IV. The Holy Council forbids any Regular, without his Superior's leave, to put himself into the Service of any Prelate, Prince, University, Community, or of any other Person or Place whatsoever, under the pretence of Preaching, Reading or any other Holy and Pious Occupation. Nor shall any Privilege or Faculty, obtained from others upon this Head be of any Use to him; and if he is Retractory, he shall be punished as a disobedient Person by his Superiors.

No Regulars shall go out of their Convents, tho' under the pretence of going to their Superiors, unless they be sent or called for by them. And whoever shall be found without such an Order in Writing, shall be punished by Ordinaries, of the Place as a Deserter of his Rule. As for those that go to the Universities to study, they shall stay no where but in Convent, otherwise they shall be proceeded against by the Ordinaries.

Chap. V. The Holy Council renewing the Constitution of *Boniface VIII.* which begins *Periculoso*, commands all Bishops under the Penalty of the Judgments of God, whom it calls to witness, and of an Eternal Curse, that by the ordinary Authority which they have over all Monasteries that are under their Jurisdiction, and by virtue of the Apostolical Authority over the rest, they take particular Care to restore the Cloistering of Nuns in the Places where it has been violated, and take the same Care to preserve it where it has hitherto been kept up; compelling by Ecclesiastical Censures, and by other Punishments, setting aside any Appeals, all that give any Opposition or Contradiction, and calling in for this purpose the Assistance of the Secular Arm, if there shall be occasion; wherein the Holy Council exhorteth all Christian Princes to assist them, and enjoyns all Secular Magistrates to do it, upon pain of Excommunication *ipso facto* to be incurred.

No Nun shall be allowed to go out of her Monastery after she is Profess'd, even for a little time, upon what Pretence soever, unless for some lawful Cause, to be approved by the Bishop; all Indults and Privileges to the contrary notwithstanding.

The History of the Council of Trent. formation of Manners: That the Arguments of the Hereticks have been several times examined, and often with a good deal of Eagerness; not that there was any Dissention among the Fathers, since there could be none where all were of one Mind; but that the Truth might be laid open in the same manner that it would have been, had the Hereticks been present. He conjured all the Prelates, to cause the Decrees, as soon as ever they got Home, to be put in Execution; and, next to God, to thank *Pius IV.* who had spared neither Pains nor Cost to bring the Council to a happy Conclusion. He commended the Legates, especially *Morone*, for putting the last Hand to this great Work; and concluded with a Panegyrick upon all the Fathers.

Then the Decrees of Doctrine and Reformation were read. The first, concerning *Purgatory*, is as follows.

Decree concerning Purgatory.

‘ The Catholick Church being instructed by the Holy Ghost, having always taught, pursuant to the Holy Scriptures, and the Ancient Tradition of the Fathers in former Holy Councils, and besides lately in this General Council, that there is a Purgatory; and that the Souls there detained are comforted by the Suffrages of the Faithful, especially by the acceptable Sacrifice of the Altar: The Holy Council commandeth Bishops to take particular Care, that the Faith, and Belief of the Faithful, concerning Purgatory, be conformable to the Holy Doctrine handed down to us by Holy Fathers and Holy Councils; and that it be every where so taught and preached. That they banish out of Publick Sermons, made before the rude and ignorant Multitude, all Subtil and Intricate Questions upon this Subject, which do not at all tend to Edification, and which are usually of no Advantage for Piety. That they hinder also all Things that are uncertain, or seemingly false, to be started or disputed of: And that they forbid whatsoever looks like Curiosity or Superstition, or filthy Lucre, as scandalous and offensive to the Faithful: And that they take Care, that the Suffrages of the Faithful; such as Masses, Prayers, Alms, and other Works of Piety, which are customarily performed by the Faithful here for the Faithful that are departed, be offer’d with Piety and Devotion, according to the Usages of the Church: And that what is due to them by Testamentary Donations, or otherwise, be paid with Care and Exactness, and not Slightly, by the Priests and Ministers of the Church, who are bound to do it.

This Decree was followed by another, relating to the *Invocation of Saints* and their *Worship* and to *Images*, in these Words.

Decree concerning Invocation and Worship of Saints and Images.

‘ The Holy Council commandeth all Bishops, and all other Men, upon whom the Care and Office of Teaching the People is incumbent, that according to the Usage of the Catholick and Apostolical Church, which has been received from the Earliest Ages of the Christian Religion, and agreeable to the unanimous Consent of the Holy Fathers, and the Decrees of the Holy Councils; in the first place, carefully to instruct the Faithful in what relates to the Intercession and Invocation of Saints, the Honour due to Relicks, and the lawful Use of Images: Teaching them, that the Saints, who reign with Jesus Christ, offer up their Prayers to God for Men: That it is a good and profitable Thing to call upon them with Humility; and to have recourse to their Prayers, Aid and Assistance to obtain Grace and Favour from God, through his Son Jesus Christ our Lord, who is our only Redeemer and Saviour: And that those harbour impious Thoughts, who deny that we ought to invoke the Saints that enjoy Eternal Happiness in Heaven; or who

The History of the Council of Trent. affirm, that Saints do not pray to God for Men; or, that it is Idolatry to invoke them, that they may pray for every one of us; or, that it is repugnant to the Word of God, and injurious to the Honour which is due to Jesus Christ, the only Mediator between God and Men; or, that it is a foolish thing to pray, either Vocally or Mentally, to the Saints who reign in Heaven.

‘ That the Faithful also ought to pay a Veneration to the Holy Bodies of the Martyrs, and of the other Saints, who live with Jesus Christ; these Bodies having formerly been the living Members of Jesus Christ, and Temples of the Holy Ghost, by whom they are hereafter to be raised again to Eternal Life, and cloathed with Glory; God himself also doing much Good to Men by their Means: So that those that affirm, that no Honour or Veneration is due to the Relicks of Saints; or, that they, with other Sacred Monuments, are revered to no Purpose; and, that holy Places are frequented in Memory of them, tho’ in Hopes of Advantage, yet without Profit; ought absolutely to be condemned, as the Church has formerly condemned them, and does so again by this Decree.

‘ Moreover, that the Image of Jesus Christ, of the Virgin-Mother of God, and of other Saints, ought to be kept and preserved, especially in Churches; and that the Honour and Veneration ought to be paid to them, which is their due: Not that any Divinity or Virtue is believed to be in them, for which they should be worshipped; or that any thing is to be asked of them; or that any Confidence is to be placed in them; as the *Gentiles* formerly did, who placed their Hope in Idols: But because the Honour which is paid to them, is referred to the Originals which they represent, so that by the Images, which we kiss, and before which we uncover our Heads, and prostrate ourselves, we adore Jesus Christ, and venerate the Saints whom they resemble; as has been decreed and declared by the second Council of *Nice* particularly, and by other Councils, against the Opposers of Images.

‘ The Bishops also shall carefully teach the People, that the Histories of the Mysteries of our Redemption, express’d by Pictures and other Representations, are designed for the Instruction, and to confirm them in the Articles of Faith, which they ought continually to bear in Memory: And also, that great Advantage may be reaped by all Holy Images: Not only because the People are thereby put in mind of the Benefits and Gifts which they have received from Jesus Christ; but also because the Miracles which God has wrought by the Saints, and the saving Examples which they have set us, are by this Means continually set before the Eyes of the Faithful, that they may thank God for them, and conform their own Lives and Manners to the Imitation of the Saints, and be stirred up to worship and love God, and to live religiously. If any Man teacheth, or thinketh contrary to these Decrees, let him be *Anathema*.

‘ If any Abuses have crept in amongst these Holy and Salutary Customs, the Holy Council extremely desires that they may be entirely abolish’d; that so no Images which may teach false Doctrine, or may give Occasion to Ignorant People to fall into any dangerous Error, may be set up. And if at any time any such Figure, or Picture of the Histories and Events contained in Scripture, as shall be thought advisable for the Instruction of the People that are unlearned, shall be made; the People shall be taught, that it is not pretended that the Divinity is represented thereby, as if he could be perceived with Bodily Eyes, or express’d by Colours or Figures.

‘ Moreover, all Superstition in the Invocation of Saints, the Veneration of Relicks, and the Sacred Use of Images, shall be taken away; all filthy Lucre shall be removed; and in short, every thing

‘ that

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Nor

The History of the Council of Trent. Nor shall any Person, of what Birth, Condition, Sex or Age soever, be allowed to go into the Close of any Nunnery, without a Permission in Writing from the Bishop or Superior, upon pain of Excommunication *ipso facto* to be incurred. Nor shall the Bishop or Superior give such Permission, but upon necessary Occasions; which no other Person besides can give, by Vertue of any Faculty or Indult granted hitherto, or to be granted for the future.

And because Nunneries founded without the Walls of Cities and Towns, being defenceless, are often exposed to the Robberies and other Insults of wicked Men; the Bishops, and other Superiors, if they think it advisable, shall cause the Nuns to be removed out of those Houses into other new ones, or into the old ones built in the Heart of such Towns or Cities; and they shall call in, if need be, the Assistance of the secular Arm for this Purpose; Those that give any Opposition, or are Disobedient, shall be compelled to yield Obedience by ecclesiastical Censures.

Chap. VI. In the Election of all sorts of Superiors, of Abbots for a time, and of other Officers and Generals; as also of Abbesses and other Women Superiors; that every thing may be done rightly, and without Fraud; the holy Council does in the first Place expressly command, That all the aforesaid Persons shall be chosen by secret Votes; that so the particular Names of those that give their Voices may never come to be known. No Provincials, Abbots, Priors, or any other Titulars, shall be made for the future only to serve a turn in an Election, or to supply the Votes or Suffrages of the Absent. And if any one shall be chosen against the Disposition of this Decree, that Election shall be null; and he that shall consent to be created Provincial Abbot, or Prior, for such a Purpose, shall be incapacitated to hold any Offices afterwards in his own Orders; and all Faculties and Powers granted for that Purpose, shall from this Time be looked upon as void; and all such granted for the future, shall be esteemed to be Superstitious.

Chap. VII. No Abbess, Prioress, or any other Woman superior, called by what Name soever, to be made a Governess, shall be chosen under eleven Years of Age, and till she has lived eight Years with Reputation after her Profession; and if none so qualified be to be found in that House, another may be chosen out of another House of the same Order. But if the Superior, who presides at the Election, thinks this to be inconvenient, one out of the same House that is above thirty Years old, and has lived reputably five Years at least after her Profession, may be chosen with the Consent of the Bishop, or other Superior. No Woman can be made Governess of two Nunneries; and if any one shall have two or more under her Care, she shall be obliged to keep but one, and to resign the rest within six Months; after which Time, unless she has made her Resignation, they shall be all *ipso jure* vacant.

He that shall preside at the Election, be he Bishop, or other Superior, shall not, upon that account, go into the Enclosure of the Monastery, but shall hear or take every one's Vote at the little Window of the Grate. In other Things, the Statutes of every Order or Monastery shall be observed.

Chap. VIII. All Monasteries not subject to general Chapters, or to Bishops, and that have not ordinary regular Visitors of their own, but have been used to be governed under the immediate Protection and Direction of the apostolical See, shall be obliged to cast themselves into Congregations within a Year after the closing of this present Council; and after that, every three Years, according to the Form of *Innocent III's* Constitution in a general Council, which begins *In singulis*; and there certain regular Persons shall be deputed, to deliberate and enact concerning the Order and Manner of forming these Congregations, and concerning the Statutes there to be observed. If they shall be negligent in this Matter, the

The History of the Council of Trent. Metropolitan, within whose Province these Monasteries shall be situated, shall call them together for the Causes above-mentioned, as Delegates of the apostolical See. But if there be not enough for such Monasteries to erect a Congregation within the Bounds of one Province, the Monasteries of two or three Provinces may make one Congregation.

When these Congregations are once erected, their general Chapters, and the Presidents and Visitors elected by them, shall have the same Authority over the Monasteries of their own Congregation, and over the Regulars there abiding, that other Presidents and Visitors have in other Orders. And they shall be obliged to visit the Monasteries of their own Congregation, and take Pains to reform them, and to observe those Things which are decreed in the holy Canons, and in this holy Council. But if, upon the Metropolitan's Solicitation, they shall still neglect to put the Premises in Execution, those Places shall be subject to the Bishops in whose Dioceses they shall be situated, as Delegates of the apostolical See.

Chap. IX. The Monasteries for Nuns which are immediately under the Subjection of the holy apostolical See, tho' called by the Names of the *Chapters of St. Peter* or *St. John*, or what other Name soever, shall be governed by Bishops, as Delegates of the holy See, every thing to the contrary notwithstanding; and for those which are governed by Deputies of general Chapters, or by other Regulars, they shall be left to their Care and Custody.

Chap. X. Bishops, and other Superiors of religious Houses, shall take particular Care, that in the Statutes for Nuns they be admonish'd to confess, and to receive the holy Eucharist at least every Month; that, through the Protection of that saving Defence, they may boldly overcome all the Assaults of the Devil. Besides, the ordinary Confessor, the Bishop, or other Superiors, shall offer another extraordinary one twice or thrice a Year, to hear the Confessions of all the Nuns.

As for the keeping the most holy Sacrament within the Choir, or the Close of the Nunnery, instead of keeping it in the publick Church; the holy Council forbids that Custom, all Indults or Privileges whatsoever to the contrary notwithstanding.

Chap. XI. In Monasteries or Houses of Men or Women, which have the Charge of Souls of secular Persons, besides those of the Domesticks of those Houses and Monasteries incumbent upon them; those that exercise that Function, be they Seculars or Regulars, shall, in Things relating to the Cure of Souls, and the Administration of Sacraments, be immediately subject to the Jurisdiction, Visitation, and Correction of the Bishop, in whose Diocese such Houses shall be situated; nor shall any Persons, tho' removable at Pleasure, be appointed for that Work, without the Bishop's Consent, and unless they be first examined by him or his Vicar-general: The *Monastery of Cluny* with its Dependancies being still excepted, as also those Monasteries or Places in which the Abbots-general or Heads of Orders have their principal ordinary Residence, and other Monasteries or Houses in which the Abbots and other Superiors of Regulars have Episcopal and Temporal Jurisdiction over Curates and Parishioners; saving however the Right of those Bishops who have greater Jurisdiction over the aforesaid Persons and Places.

Chap. XII. Censures and Interdicts, not only such as come from the apostolical See, but those also that are published by the Ordinaries, shall, upon the Bishop's Mandate, be publish'd by Regulars in their Churches, and shall be observed by them. The Holidays also, which the same Bishop shall enjoin in his own Diocese, shall also be observed by all Regulars, even Exempts.

Chap. XIII. All Differences about Precedence, which do frequently and very scandalously arise between Ecclesiasticks, both Seculars and Regulars, both

The History of the Council of Trent. in publick Processions, and in those which are made at Funerals, and about carrying the Canopy, and such like, shall be composed by the Bishop, without any Appeal; any thing which can be alledg'd to the contrary notwithstanding: And all Exempts, secular Clerks as well as Regulars, and all Monks likewise who are called to publick Processions, shall be obliged to attend at them; those only excepted, who always live more strictly cloister'd.

Chap. XIV. Every Regular, not subject to the Bishop, who lives within the Cloisters of a Monastery, and shall offend abroad so notoriously as to give Scandal to the People; shall, at the Instance of the Bishop, and within the Time which he shall prescribe, be severely punished: And the Superior shall acquaint the Bishop of such Punishment; otherwise he himself shall be deprived of his Office by his own Superior, and the Bishop may punish the Delinquent.

Chap. XV. In no Order whatsoever, either of Men or Women, shall any Persons be profess'd till they be full 16 Years old; nor shall any Persons be receiv'd to be profess'd till they have been at least one Year Novices, after they have taken the Habit. All Professions made sooner shall be null, and shall bring no Obligation to the Observance of any Rule, Religion, or Order whatsoever, or of any other thing that may afterwards ensue.

Chap. XVI. No Renunciation likewise, or Obligation made before Profession, tho' upon Oath, and in favour of any pious Cause whatsoever, shall be valid; unless it be made by the Permission of the Bishop, or of his Vicar-general, within the two Months immediately preceding the Profession: Nor shall it be understood to obtain its Effect, unless a Profession follows upon it. Otherwise, tho' there should be an express Renunciation of this Favour, and that too made upon Oath; yet the Whole shall be void, and of none effect. When the Time of the Noviciate is finished, the Superiors shall admit the Novices whom they find to be qualified to be profess'd, otherwise they shall turn them out of the Monastery.

The holy Synod however does not hereby design to innovate or prohibit any thing with relation to the Clerks of the *Society of Jesus*, or to hinder them from serving our Lord and his Church conformably to their pious Institution, confirmed by the holy apostolical See.

Before any Novice of either Sex is profess'd, none of his or her Relations, Kindred, or Guardians, shall give any of their Goods more than is necessary for their Maintenance or Cloathing, upon any pretence whatsoever, to that Monastery, during their Noviciate, lest this should give a Temptation to detain them, against their Will; because the Monastery would enjoy all or the greatest part of their Substance; and if they should go away, they could not so easily recover it again. On the contrary, the holy Council forbids, under pain of an *Anathema*, both Givers and Receivers to do any thing of this sort; and commands every thing to be restored to those that go away before they are profess'd, that belonged to them: And the Bishop is to compel those by ecclesiastical Censures, if there is occasion for it, to do this punctually to whom it belongs to do it.

Chap. XVII. The holy Council being desirous to secure the Liberty of the Profession of the Virgins who are to be consecrated to God, enacteth and decreeth, that a Maiden who desires to take the regular Habit, and is above 12 Years old, shall not take it; nor shall she afterwards, or any body else, make their Profession, till the Bishop, or if he is absent or hindered, his Vicar-general, or some other Person appointed by them, and at their Expence, shall diligently examine concerning the Inclination of the Maiden, whether she was not compelled or seduced, or knew what she did? And whether her pious Desire and Free-will was known? And whether she has the requisite Qualifications according to the

Rule of that Monastery and Order? And whether it be a convenient House? In which Cases she may freely profess. And that the Bishop may not be ignorant of the Time when she makes her Profession, the Superior of the House shall be obliged to acquaint him with it a Month before-hand: And if she fails to do it, she shall be suspended from her Office as long as the Bishop shall think fit.

Chap. XVIII. The holy Council pronounces an *Anathema* against all and every Person or Persons, of what Quality or Condition soever, Clerks or Laymen, Seculars or Regulars, and of what Dignity soever, that shall compel a Virgin or a Widow, or any other Woman whatsoever, in any Manner whatsoever, except in the Cases expressed in the Law, to go into a Monastery, or to take the Habit of any sort of Order, or to make a Profession; or that shall give any Assistance, Counsel or Countenance, towards such a thing; or that when they know a Woman is not willing to go into a Monastery, to take the Habit, or to make a Profession, shall interpose their Presence, Counsel, or Authority, to make her do it. It subjects likewise those to the same *Anathema*, who, without any just Cause, shall any way hinder the pious Desire of Virgins, or of any other Women, who would take the Veil, or make the Vow. And all and every of these Things, which ought to be observed before the Profession, or in the Profession itself, shall be observed not only in Monasteries subjected to a Bishop, but in all others whatsoever. The Women however, who are called *Penitents* or *Converts*, shall be excepted; and the Constitutions which relate to them shall be observed.

Chap. XIX. If any Regular whatsoever shall pretend, that he went into his Order thro' Force or Fear; or shall say, that he made his Profession before the Age that is required, or any thing of that sort; or that he has a mind to quit his Habit for any Cause whatsoever, or to go without his Habit without his Superior's Leave, shall not be heard, unless he alledges these Things within the five first Years after his Profession; and not then neither, unless he makes good his Allegations before his Superior and his Ordinary. But if he had quitted his Habit before, of his own accord, he shall not be allow'd to alledge any other Reason; but he shall be obliged to return to his Monastery, where he shall be punished as an Apostate, without being allow'd in the mean time to claim any of the Privileges of his own Order. No Regular, by vertue of any Faculty, shall be removed to a looser Order; nor shall any Regular be allowed to wear the Habit of his Order secretly.

Chap. XX. Abbots who are Heads of Orders, and other Superiors of Orders, who are not subject to Bishops, and who have a lawful Jurisdiction over other Monasteries and Priories which depend upon them; shall, *ex Officio*, visit the Monasteries and Priories that are under their Jurisdiction, every one in his Place and Order, tho' they be held in *Commendam*. For since they are subject to the Heads of their Orders, the holy Synod declares, that they are not comprehended under the former Regulations about visiting Monasteries held in *Commendam*: And all that govern the Monasteries of the aforesaid Orders, shall be obliged to receive the aforesaid Visitors, and to execute their Decrees.

The Monasteries also which are Heads of Orders shall be visited according to the Constitutions of the holy apostolical See, and those of every Order in particular: And as long as those *Commendams* shall last, the general Chapters, or the Visitors of the same Orders, shall appoint Priors-claustral, or Sub-priors, in the Priories in which there is a Convent, to exercise Corrections and spiritual Government. In every thing else, the Privileges and Faculties of the aforesaid Orders, which relate to Persons, Places, and Rights, shall remain firm and unhurt.

Chap. XXI. The Generality of Monasteries, even Abbies, Priories and Provostships, having suffered very considerable Damages, both in Spirituals and in Temporals, by the Male-administration of those with whom they were entrusted, the Holy Council would be very desirous to bring them entirely back to such a Discipline as is suitable to a Monastical Life: But the Condition of the present Times is so hard and difficult, that it is impossible either to apply a Remedy soon to all, or to make such a common Regulation as may be equally executed by all. However, that it may omit nothing whereby hereafter the Premises may be successfully provided for; in the first Place it is confident, that the most Holy Roman Pontiff, according to his usual Piety and Prudence, will take care, as far as he sees these Times will bear it, that Regular Persons, expressly profess'd of the same Order, and who may be able to go before, and to govern the Flock, may be set over those Monasteries which at present are in Commendam, and have Convents of their own. But for those that shall be vacant for the future, they shall be given to none but Regulars of known Virtue and Holiness. And as for the Monasteries which are Heads or Chief of their Orders, or such Abbies as are called Daughters of the Heads of Orders, those that now hold them in Commendam shall be obliged, if a Regular be not provided to succeed them, to make a solemn Profession within six Months of the Religion peculiar to their own Order, or to quit them; otherwise the aforesaid Commendams shall be understood to be ipso Jure vacant. And that in all and every of the aforesaid Matters there may be no fraudulent Dealing, the Holy Council decreeth, that in the Provisions of the said Monasteries the Quality of every Person shall be exprest by Name: And any Provision made otherwise, shall be look'd upon as surreptitious; nor shall any subsequent Possession, even triennial, make it valid.

*Chap. XXII. The Holy Council decreeth, That all and every of the Things contained in the aforesaid Decrees shall generally be observed in all Convents and Monasteries, Colleges and Houses of any Monks and Regulars whatsoever, and of all Sorts of Nuns, Virgins, and Widows, tho' they live under the Government of any military Orders, even that of Jerusalem, or other called by any Name whatsoever, and under whatsoever Rule and Constitution: and under the Custody and Government, Subjection, Union or Dependence of any Manner of Order; of all Mendicants, or not Mendicants, or of any other Regulars, Monks, or Canons whatsoever; any Privileges of all and every of them, under whatsoever Forms of Words conceived, and those that are called *Mare magnum*, even those which were got at the first Foundation, as also all Constitutions and Rules, tho' sworn to, and all Customs and Prescriptions, even immemorial, to the contrary notwithstanding. But if there be any Regulars, Men or Women, who live under a stricter Rule or Statutes, the Holy Council intends not to withdraw them from their Institution and Observance; except in the Faculty of enjoying Real Estates in common.*

And because the Holy Council desires, that all and every of the aforesaid Matters be put in Execution as soon as possible; it commands all Bishops to execute all the Premises forthwith, in the Monasteries under their Jurisdiction, and in all the rest which are specially committed to them by the former Decrees; as also all Abbots, Generals, and other Superiors of Orders: And if there be any thing not executed, Provincial Councils shall oblige the Bishops, and supply their Negligence; and Provincial and General Chapters, and in Default of General Chapters, Provincial Councils, shall provide in case of Negligence of Regulars, by deputing some Members of the same Order for that purpose.

The Holy Council exhorteth also all Kings, Princes, Republicks and Magistrates, and commands them, by vertue of their Holy Obedience, to be wil-

ling to interpose their Authority for the Execution of the aforesaid Reformation; and to afford their Assistance, as often as they shall be required, to all Bishops, Abbots, Generals, and all other Superiors, that all these Things may be put in Execution, without Hindrance, to the Glory of Almighty GOD.

This Decree of *Particular Reformation*; is followed by a Decree of *General Reformation*; the Chapters whereof are these:

Chap. I. It is to be wished, that those who undertake the Episcopal Office were sensible of their Duty; and understood well, that they are not called to it for their private Advantage, for Riches, or for Luxury; but to labour, and to be solicitous for the Glory of God: For there is no Question but the rest of the Faithful will be more easily animated to a pious and innocent Life, when they see their Governors not attend to the Things of this World, but what belongs to the Salvation of Souls and their Heavenly Country. The Holy Council therefore looking upon this to be a Thing of the greatest Importance towards the restoring of Ecclesiastical Discipline, admonisheth all Bishops often to reflect upon it; that by their Actions in the Course of their Lives, which is a Sort of a continual Sermon, they may shew themselves to be conformable to their Employment: But especially so to govern their whole outward Behaviour, that others may take Examples from them of Frugality, Modesty, Continency, and that Holy Humility which does so extremely commend us to God.

Wherefore, in Imitation of our Fathers in the Council of Carthage, it not only commandeth Bishops to be content with modest Furniture, and with a frugal Table and Way of Living; but also to take care in the rest of their Way of Living, and in their whole House, that nothing may appear foreign to this Holy Institution, or not agreeable to Simplicity, Zeal for God, and Contempt of the Vanities of the Age.

It absolutely besides forbids them, to endeavour to enrich their Relations and Domesticks by the Revenues of the Church; since even the Apostolical Canons forbid the giving the Goods of the Church, which belong to God, to Relations: But if they be poor, to distribute to them as poor; but not to dissipate or misapply them in their favour. On the contrary, the Holy Council advises them, as much as lies in their Power, entirely to lay aside that Passion and natural Affection for their Brethren, Nephews, and Relations, which has been the Cause of so much Mischiefs in the Church.

Now what is said here concerning Bishops, ought not only to be observ'd by all those that hold Ecclesiastical Benefices, both Seculars and Regulars, by every one according to his Rank and Condition; but the Council declares, that they relate also to the Cardinals of the Holy Roman Church: For since they with their Counsels assist the most Holy Roman Pontiff in the Government of the universal Church, it would be a very strange Thing if there did not appear in them such shining Vertues, and such a regular Life, as may justly draw the Eyes of the whole World upon them.

Chap. II. The Calamity of the Times, and the Malignity of Heresies which gather Strength every Day, obliges us to neglect nothing which may seem to belong to the Edification of the People, and the Support of the Catholick Faith: The Holy Council therefore enjoineeth all Patriarchs, Primates, Archbishops, Bishops, and all others who of Right or Custom ought to assist at Provincial Councils, that in the first Provincial Council to be held after the Conclusion of this present Council, they shall publicly receive all and every of the Things which have been defined and decreed in this same Holy Council; and also promise and vow true Obedience to the Sovereign Roman Pontiff; and publicly detest and anathematize all the Heresies which have been condemned

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demned by the Holy Canons and General Councils, and particularly by this same Council: And that all those who shall be for the future raised to the Dignities of Patriarchs, Primates, Archbishops, and Bishops, shall exactly observe to do the very same things in the first Provincial Synod at which they shall be present. And if any one of all the abovesaid Persons, which God forbid, refuses to do it; the Comprovincial Bishops shall be obliged, under the Penalty of the Divine Indignation, immediately to acquaint the Sovereign Pontiff with it, and to abstain from the said Persons Communion in the mean time.

All other Persons likewise, who at present enjoy Ecclesiastical Benefices, or shall do so for the future, and who ought to appear at Diocesan Synods, shall do and observe as above, in the first Synod which shall be held in every Diocese; otherwise they shall be punished according to the Forms of the Holy Canons.

All those Persons also, to whom the Care, Visitation, and Reformation of Universities and General Places of Studying does belong, shall take especial Care, that the Canons and Decrees of the present Holy Council, be entirely received by those Universities: And that the Masters and Doctors, and others in the said Universities, teach and interpret what relates to the Catholick Faith, conformably to those Decrees; obliging themselves by a solemn Oath, to be taken at the Beginning of every Year, to observe this Regulation. And if there are some other Things besides in the abovesaid Universities, which need Correction and Reformation, they shall be remedied; and the proper Orders shall be given for the Advancement of Religion and Ecclesiastical Discipline by those to whom it shall belong. As to the Universities immediately under the Protection and Visitation of the Sovereign Roman Pontiff, his Holiness shall take Care, by Delegates of his own, that they be wholsomely visited and reformed in the above mentioned Way, and as he shall judge to be most convenient.

Of Excommunications and Monitions.

Chap. III. Tho' the Sword of Excommunication be the Sinew of Ecclesiastical Discipline, and tho' it be very useful to keep People in their Duty; yet it ought to be exercised soberly, and with great Circumspection: Experience shewing, that if it be rashly used, or for slight Causes, it is more despised than feared, and does more Harm than Good. Those Excommunications therefore which are preceded by Monitions, and which used to be inflicted to oblige Men, as they call it, to Revelation, or when Things are lost or privately taken away, shall be issued out by none but by the Bishop; and not then neither, but upon some extraordinary Occasion, which shall move the Mind of the Bishop, after he has examined the Cause himself with great Matureness and Diligence: Nor shall the Authority of any secular Person, tho' a Magistrate, induce him to publish it; but the whole shall be entirely left to his Judgment and Conscience, to act as the Circumstances of the Thing it self, of Place, Time, and Person, shall in his Judgment require.

In judicial Causes, all Ecclesiastical Judges, of what Dignity soever, are commanded to abstain from Ecclesiastical Censures and Interdicts, both during the Process, and in giving of Sentence, as often as real or personal Execution can be made by them, in any Part of the Cause, by their own Authority: But in civil Causes, which have any Manner of Relation to the Ecclesiastical Jurisdiction, they may, if they shall think it convenient, proceed against any Persons whatsoever, even Lay-men, in their Sentences; by laying a Fine, to be given immediately as soon as levied to pious Houses in that very Place; or by making a Seizure of Goods, and imprisoning Persons, and that by their own Officers, or by others; or by Deprivation of Benefices, and other legal Remedies. But if a real or personal Execution cannot this way be come at against the guilty, but they be rebellious against the Judge; then, besides other Pu-

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nishments, he may smite them with the Sword of an *Anathema* at his own Pleasure.

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So also in Criminal Causes, when a real or personal Execution can be made as above, they shall abstain from Censures: But if they cannot easily come at such an Execution, the Judges may use this spiritual Sword against the Delinquents, if the Quality of the Crime shall require it; but then there must be two previous Monitions made by open Proclamation: All secular Magistrates whatsoever in the mean time being strictly forbidden to hinder any Ecclesiastical Judge to proceed to Excommunication of any Person, or to command him to call in an Excommunication already publish'd, upon Pretence that the Things contained in this present Decree have not been observed, such Cognizance belonging only to Ecclesiastical Judges, and not to Seculars.

All excommunicated Persons who shall not repent, after having been duly admonished, shall not only be excluded from the Sacraments, and the Communion and Conversation of the Faithful; but if, when bound by Censures, they shall with a harden'd Heart continue under the Infamy of them for one Year, they may be proceeded against as Persons suspected of Heresy.

Chap. IV. It often happens in some Churches, either that there is so great a Number of Masses to be said, by several Foundations, or pious Legacies of the Dead, that they cannot be exactly performed upon the very Days appointed by the Testators; or that the Alms left for these Masses are so slender, that Persons cannot be easily found that will undertake them; whereby the pious Intentions of the Founders become ineffectual, and the Consciences of those to whom the discharging of these Duties belong are burthen'd. The Holy Council therefore desiring, that these pious Legacies may be satisfied the most fully and carefully that possibly can be, empowers the Bishops, after having carefully examin'd the Matter in a Synod of their Diocese; and Abbots and Generals of Orders, after having done the same in their General Chapters; to make such Regulations in these Matters, in those Churches where they shall find such Provision to be wanting, as they shall in their Consciences judge to be most expedient for the Honour and Worship of God, and the Advantage of the Churches; only in such a manner, that those deceased Persons may always be commemorated, who for the Salvation of their own Souls, have left these Legacies for pious Uses.

No reasonable Foundations ought to be alter'd.

Chap. V. Reason wills, That in Things which have been well establish'd, no Alteration be made by contrary Statutes: When therefore by the Direction or Foundation of any Benefices whatsoever, or by any other Regulations, certain Qualifications are required to possess them, or certain Duties are charged upon them, in the Collation, or in any other Disposition of these Benefices whatsoever, they shall not be derogated from in the least. The same Thing shall be observed as to Theological, Magistral, Doctoral, Presbyteral, Diaconal, and Subdiaconal Prebends, when founded under the Obligation of those Titles; so that no Provision shall derogate from their Qualities or Orders; and all Provisions otherwise made, shall be looked upon as surreptitious.

Chap. VI. The Holy Council commands, that the Decree made under Paul III. of happy Memory, beginning *Capitula Cathedralum*, (Sess. 6. Reform. ch. 4.) be observed in all Cathedral and Collegiate Churches; not only when the Bishop shall visit there in Person, but as often as he shall proceed *ex Officio*, or at the Petition of any Person, against any of the Persons comprehended in the said Decree: But it shall be in such a manner, that when he shall proceed out of his Visitation, all the under-written Particulars shall be observed; that is to say, that in the beginning of every Year the Chapter shall choose two out of its own Body, by whose Advice and Consent the Bishop, or his Vicar-General, shall be obliged to proceed both in forming his Process, and in all other Acts to the End of the Clause, inclusively,

Of the Jurisdiction of Bishops over Chapters.

inclusively, only in the Presence of the Bishop's Secretary, and in his House, or in the ordinary Place of Justice. The two Commissioners shall have but one Vote if they go together, but anyone of them may join with the Bishop. But if in any Act, whether the Sentence be Interlocutory or Definitive, they both dissent from the Bishop; then they and the Bishop jointly shall within six Days Time choose a third Person: And if they still disagree about the Choice of that third Person, the Election shall be devolved upon a neighbouring Bishop; and the Matter in dispute shall be determin'd according to that Opinion to which this third Person shall give in: Otherwise the Process, and all that follow'd upon it, shall be null and of no Effect in Law. In Crimes however which proceed from Incontinence, which have been mentioned in the Decree concerning Concubinaries, and in enormous Cases which require Deposition or Degradation, if there is Reason to fear that the Criminal may escape, and consequently there must be a personal Detention lest Justice should be eluded, the Bishop may proceed in the Beginning to a summary Information and a necessary Detention; only observing afterwards the aforesaid Order. But in all these Cases, Care shall be taken, that the Delinquents themselves be kept in a proper Place, considering the Nature of the Offence and the Quality of the Persons.

Besides, in all Places, that Honour shall be paid to Bishops which their Dignity requires; and in the Choir, in the Chapter, in Processions, and in other publick Ceremonies, they shall have the chief Seat, and the first Place, which they shall choose themselves; and the principal Authority in managing all Business.

If they shall have any thing to propose to the Canons to be debated, and the Matter relates neither to the Bishops nor to them particularly; the Bishops may call a Chapter themselves, and take Votes, and conclude according to them: But in the Absence of the Bishop, all Matters of this sort shall be done entirely by those of the Chapter to whom of Right or Custom it belongs; and the Bishop's Vicar-general shall not be admitted. In all other Things, the Jurisdiction and Authority of the Chapter, if they have any, and the Administration of the Temporalities, shall be left them whole and untouched.

But those that have no Dignities, and are not of the Chapter, in all ecclesiastical Causes shall be under the Bishop's Jurisdiction; all Privileges even belonging to them by the Foundations, as also Customs even Immemorial, Sentences, Oaths, Concordates which bind none but the Makers, in the aforesaid Cases to the contrary notwithstanding; saving only in all Things the Privileges which have been granted to Universities, general Schools, or the Persons in them residing.

Lastly, the holy Council declares, that all and every of these Things shall have no Place in those Churches in which the Bishops, or their Vicar-generals, by any Constitutions, Customs, Privileges or Concordates, or by any other Right whatsoever, have a greater Power, Authority and Jurisdiction, than what is comprehended in this present Decree, from which it does not intend to derogate.

Of Regresses and Coadjutors. Chap. VII. Whereas in ecclesiastical Benefices, all that has the Appearance of a hereditary Succession is odious in the holy Canons, and contrary to the Decrees of the Fathers; the holy Synod declares, That no Man for the future, of whatsoever Quality he be, shall have *Access* or *Regress* to any ecclesiastical Benefice, tho' it be by common Consent; nor shall those already granted be suspended, extended or transferred.

The present Decree shall take place in all ecclesiastical Benefices, and upon all Persons whatsoever, even though they should be honoured with the Title of Cardinals.

The same Thing shall also be observed in *Coadjutories with future Succession*; that is to say, That they

shall not be allow'd to any Body, for any sort of ecclesiastical Benefices; but if at any time the urgent necessity of any Cathedral Church or Monastery, or any manifest Advantage requires, that a Prelate have a Coadjutor given him; then he shall not be appointed with future Succession, before the Cause has been carefully examined by the most holy Roman Pope; and it be certain, that all Qualities concur in that Man which are requir'd by the Law, and by the Decrees of this holy Council in Bishops and Priests concur in him; otherwise all Concessions made in this Case, shall be esteemed Surreptitious.

Chap. VIII. The holy Council admonisheth all those that possess any manner of ecclesiastical Benefices Secular or Regular, to accustom themselves to practise the Duty of Hospitality willingly and readily, which is so often recommended by the holy Fathers, as far as their Incomes will give them leave, remembring that they that love Hospitality, receive Jesus Christ in the Person of their Guests. But as for those who keep Hospitals, as they are commonly called, or other Places of Devotion, particularly founded for the Use of Pilgrims, of the Sick, the Aged, or the Poor, in *Commendam*, or Administrators, or by any other Title whatsoever, even though they are united to their own Churches; or though Parochial Churches be by accident united to Hospitals, or erected into Hospitals, and so the Administration of them be given to their Patrons; the holy Council commandeth them all absolutely to acquit themselves of the Obligations and Duties incumbent upon them, and actually to use the Hospitality which is required out of the Revenues appointed for that purpose, according to the Constitution of the Council of *Vienna*, revived already in this very Council under *Paul III.* of happy Memory, beginning *Quia continget*.

But if these Hospitals be founded for the Reception of one particular sort of Pilgrims, infirm Persons or others, and in the Place where these said Hospitals are situated, there are not such Persons, or very few of them: It commands further, that the Revenues be converted to some other pious Use, as near as can be to the first Institution, and most advantageous for that Time and Place, as the Ordinary assisted by two of the Chapter, who understand these Things best, and who shall be chosen by him, shall think most advisable; unless, perhaps, this very Case was provided for in the original Establishment and Foundation, in which Case the Bishop shall take care that what was ordered be observed, or, if that cannot be done, that the best possible Provision be made for it.

If therefore, all or any of the aforesaid Persons, of whatsoever Order, Religion, or Dignity they be, even tho' they be Laymen, that have the Administration of any Hospitals (provided they neither be under the Jurisdiction of Regulars, nor under a Regular Observance) after having been admonished by the Ordinary, shall actually cease to perform the Duty of Hospitality, with all its requisite Conditions, to which they are obliged; they may not only be compelled to it by ecclesiastical Censures, and by other legal ways, but they may even be deprived for ever of the Care and Administration of the Hospital it self, and others substituted in their Place, by those to whom it shall belong. And they shall, notwithstanding this, be obliged, *in foro Conscientiæ*, to restore the Profits which they have receiv'd against Design of the Founding of those Hospitals, in which no Remission or Composition shall be allow'd them; nor shall the Administration or Government of any such Place be for the future committed to one and the same Person, for any more than three Years, unless it be found to be otherwise ordered in the Foundation: All Unions, Exemptions, and Customs to the contrary, even Immemorial, Privileges or Indults whatsoever, as to what is aforesaid, to the contrary notwithstanding.

Chap. IX. As it is not just that the lawful Rights of Patronage should be taken away, or the pious Intentions

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The Patronages of Benefices.

tentions of the Faithful, who instituted them, should be violated; so neither ought the impudent reducing of ecclesiastical Benefices to Slavery, under that Pretence to be endured, which is by many done. That due Reason therefore may be observed in all things, the holy Council decreeth, that Titles to Right of Patronage shall arise from Foundation or Endowment, and shall be proved by an authentick Instrument, and the other Ways which the Law requires, or else by a great number of Presentations, multiplied thro' a very long course of Time, exceeding the Memory of Man, or by some other Way which the Law directs. But for those Persons, Communities or Universities, where that Right is usually presumed to have been gotten by Usurpation, rather than otherwise; a more full and exact Proof shall be required to make out the Truth of their Title: And a Proof of Time immemorial shall be of no Service, unless, besides the other requisite Conditions, they prove by authentick Writings, that they have continued their Presentations, without any Interruption, for 50 Years at least, and that they have all taken effect. All other sorts of Rights of Patronage of any manner of Benefices, secular or regular, parochial or dignified, or of any other Benefices whatsoever, in a cathedral or collegiate Church; as also, all Difficulties or Privileges allow'd, as well by vertue of Patronage, as by any other Right whatsoever, to name, chuse or present to Benefices, when they shall become vacant, excepting Rights of Patronage over cathedral Churches, and excepting all other Rights which belong to the Emperor, to Kings, or to those that possess Kingdoms, and to other sublime and sovereign Princes, who have imperial Rights within their own Dominions; as also those which have been granted in favour of general Schools, shall be esteemed to be absolutely null and void, with the pretended Possession that ensued upon them: So that the said Benefices may be collated to by their proper Collators as free; and the Provisions which they shall give, shall obtain the full Effect.

Besides this, the Bishops may refuse those who have been presented by the Patrons, if they do not find them capable; and if Institution belongs to Inferiors, yet they shall be examined by the Bishop notwithstanding, pursuant to the other Ordinances of this holy Council, otherwise the Institution made by Inferiors shall be void and null.

The Patrons of Benefices, be they of whatsoever Order and Dignity, nay, tho' they should be Communities, Universities or Colleges of any sort, ecclesiastical or lay, shall not upon any manner of Cause or Occasion interpose in the receiving of Profits, Rents or Revenues of any Benefices, tho' the Right of Patronage be really vested in them by Foundation or Endowment; but they shall leave the free Disposition of them to the Rector or Beneficiary; any Custom to the contrary notwithstanding. Nor shall they presume to transfer the Right of Patronage to any other Person against the canonical Sanctions, by Sale, or by any other Title; and if they do, they shall be liable to the Penalties of Excommunication and Interdiction, and shall be *ipso Jure* depriv'd of the said Right of Patronage.

Moreover, all Accessions made by way of Union of free Benefices (d) to Churches subjected to the Right of Patronage, even of Laymen, as well to parochial ones, as to any other sort of Benefices whatsoever, even simple ones, or Dignities, or Hospitals, made in such a manner, that those free Benefices become of the same Nature with those to which they are united, and so become subject to the Right of Patronage, if they have not yet obtain'd their full Effect; as also those which shall be made hereafter, at any Instance whatsoever, tho' they should be granted even by apostolical Authority, shall, together with the Unions themselves, be look'd upon as surreptitious: Any Form of Words, or Derogation, which

may be look'd upon as express, to the contrary notwithstanding, nor shall they for the future be put in execution, but the Benefices themselves so united, when they shall become vacant, shall be freely collated, as they were before the Union. But those which have been made within these 40 Years, and have taken effect, and had an entire Incorporation, shall notwithstanding be review'd and examin'd by the Ordinary or Delegates of the apostolical See, and those which have been obtain'd by the Subreption or Obreption, shall, together with the Unions, be declar'd null, and the Benefices shall be separated, and other Persons shall be collated to them.

So likewise all manner of Rights of Patronage over any Churches or Benefices, or Dignities formerly free, which have been acquir'd within the last forty Years, or for the future to be acquir'd, either in order to augment the Endowment, or to make some new Building, or for some other such like Cause, tho' by the Authority of the apostolical See, shall be carefully examin'd by the same Ordinaries, as Delegates, as above, who shall be disturb'd herein by no Faculties or Privileges whatsoever; and those which they shall not find to have been legally founded for some evident Necessity of the Church, Benefice or Dignity, shall be by them absolutely revoked, and the Benefices restored to their ancient State of Liberty, only without any Damage to the Possessions; and what was given to the Patrons for the Acquisition of that Right, shall be return'd back again; all Privileges, Customs and Constitutions, even immemorial, to the contrary notwithstanding.

Chap. X. Whereas by reason of the malicious Suggestions of Petitioners, and sometimes by reason of the Distance of Places, a perfect Knowledge of the Persons to whom Causes are committed cannot well be had; whereby they are committed to Judges upon the spot, not every way capable, or proper to examine them: The holy Council decreeth, that in every provincial or diocesan Synod, some Persons qualify'd as Boniface VIII's Constitution, which begins *Statutum*, requires, and who are otherwise proper Persons for that Business, be appointed Delegates, that so besides the Ordinaries of the Places, these may be ready, to whom ecclesiastical and spiritual Causes, and which belong to the ecclesiastical Jurisdiction, may be committed for the future upon the Place. And if any of these Delegates shall happen to die in the mean time, the Ordinary of the Place shall, with the Consent of his Chapter, substitute another in his place, till the Meeting of another provincial or diocesan Synod; that so in every Diocese there may be four Persons at least, or more, who are approv'd and qualify'd as above, to whom Causes of this nature may be committed by any Legate or Nuncio, and even by the apostolical See; and after such Resignation, which the Bishops shall immediately send to the sovereign Pontiff, all Delegations of Judges, directed to any Persons besides these thus design'd, shall be look'd upon as surreptitious.

The holy Council besides exhorteth, as well the Ordinaries as any other Judges whatsoever, to labour to determine Causes as quickly as they possibly can; and by all means, either by prefixing a Time, or by what other legal Way they can, to prevent the Artifices of Pleaders, in delaying a Cause, either by Disputes about the Suit it self, or by other Incidents which may have an Influence upon the Whole.

Chap. XI. Churches are liable to suffer abundance of Damage, when, after receiving a Fine at first, their Estates are leased out to Strangers, to the prejudice of their Successors; for which Reason all such Leases as are made upon consideration of Money paid beforehand, shall not in the least be understood to be valid to the prejudice of their Successors, any Indult or Privilege to the contrary notwithstanding; nor shall such Leases be confirm'd in the Court of Rome, or out of it.

[(d) Those Benefices are called free in the Canon-law, to which the proper Ordinary doth *ex Officio* collate.]

The History of the Council of Trent. No Ecclesiastical Jurisdiction, or Faculty of nominating, or deputing Vicars in Spirituals, shall be let to lease; nor shall the Lessees exercise such Jurisdiction by themselves or their Deputies; and Concessions granted otherwise, even by the Apostolical See, shall be esteemed Surreptitious.

And as to Leases of the Goods of the Church, tho' confirmed by the Apostolical See, the Holy Synod makes those void; which having been made within these last thirty Years for a long Term, or, as they call it in some Places, for twenty nine Years, or for twice twenty nine Years, shall be judged by a Provincial Synod, or by Persons deputed by a Provincial Synod, to have been made to the prejudice of the Church, and against the Canonical Sanctions.

Of Payments of Tithes.

Chap. XII. Those are not to be endured, who by various Arts endeavour to withdraw the Tithes that belong to the Church, or who rashly seize upon those which belong to other Men, to pay, and turn them to their private profit: For the payment of Tithes is a Debt due to God; and those that refuse to pay them, or that hinder others from paying them, seize upon what does not belong to them. The Holy Council therefore commands all Men, of what Rank and Condition soever, to whom it belongs to pay Tithes, to pay to the full, for the future, those Tithes which they are obliged to pay to the Cathedral Church, or to any other Church or Person whatsoever to whom they are legally due: Those that withdraw them, or that hinder their being paid, shall be excommunicated, and shall not be absolved from that Crime, till they have made full Restitution. It exhorts also all and every Man in particular, for the Love of God, and out of a Sense of their own Duty towards their Pastors, that they do not grudge to assist their Bishops and Parish-Priests, whose Churches are slenderly endow'd out of the Goods which God has bestow'd upon them; and for the Honour which they owe to God, that they enable their Pastors, who watch for their Salvation, to support their Dignity.

Of the Rights of Funerals.

Chap. XIII. The Holy Council commandeth, that in all Places where the *Fourth Portion*, which is called, the *Portion of Funerals*, has for forty Years past been usually paid to a Cathedral or Parochial Church, and has afterwards by any Privilege whatsoever been applied to any Monastery, Hospital, or other Place of Devotion, that entire Portion and Part, with all its Rights which it had before, shall be for the future paid to the said Cathedral or Parochial Church; all Concessions, Graces, Privileges, even those which are called *Mare Magnum*, and others of whatsoever sort they be, to the contrary notwithstanding.

Penalties against Ecclesiastics that are Concubinaires.

Chap. XIV. It is sufficiently known by the general Scandal which all the Faithful receive by it, and by the extream Disgrace which it brings upon the Ecclesiastical Order, how Scandalous a thing it is, and unworthy of the Name of a Clergyman, who has devoted himself to the Service of God to abandon himself to the Disorders of Unchastity, and to live in an Impure Concubinage. To the end therefore, that the Ministers of the Church may be recalled to that Continuance and Purity of Life which becomes them; and that the People may thereby learn to reverence those the more, whose Conversation is most Chast and Pure; the Holy Council forbids all Churchmen to keep, within their Houses or without, any Concubines or other Women, of whom any Suspicion can be entertained, or to have any Commerce with them; otherwise they shall be punished as the Holy Canons, or the particular Statutes of Churches shall require. But if, after they have been admonished by their Superiors, they shall not yet abstain, they shall *ipso Facto* be deprived of a third part of the whole Profits, Obventions, and Revenues of all their Benefices and Pensions which shall be applied to the Fabrick of the Church, or of some other Pious Places as the Bishop shall direct. And if they are still persisting in the same Offence with the same, or with some other Woman, and shall not

The History of the Council of Trent. obey that second Admonition, they shall not only actually loose all the Profits and Revenues of their Benefices and Pensions, which shall be applied to the abovesaid Places; but they shall likewise be suspended from the Administration of their Benefices; as long as their Ordinary, even as Delegate of the Apostolical See, shall judge convenient. And if, when they are thus suspended, they shall still not drive out those Persons, or shall yet converse with them, they shall then be for ever deprived of all their Benefices, Portions, Offices and Pensions Ecclesiastical whatsoever; and shall be rendred incapable and unworthy of any Honours, Dignities, Benefices and Offices for the future; till after a manifest amendment of Life, their Superiors shall think it proper for good Reasons to dispense with them. But if, after having once dismissed them, they shall dare to begin that Correspondence which was interrupted again, or take to them other such-like Scandalous Women, besides the abovesaid Punishments, they shall also be excommunicated; nor shall any Appeal or Exemption hinder or suspend the abovesaid Execution. The Cognizance of all these things shall not belong to the Archdeacons or Deans, or other inferior Officers, but to the Bishops themselves; who without Noise, or the shew of a Sentence, may proceed upon a bare Examination of the Truth of the Matters of Fact.

But those Clergymen who have neither Ecclesiastical Benefices or Persons, shall be punish'd by the Bishop according to the Quality of their Fault; and as they have been more or less contumacious, by Imprisonment, Suspension from exercising their Functions, Declaration of Incapacity to hold a Benefice, or by other ways as the Holy Canons shall direct.

But if, which God forbid, Bishops shall not abstain from these sort of Crimes, and when they have been admonished by a Provincial Synod, shall not repent, they shall be suspended *ipso facto*; and if they shall still persevere, they shall be informed against by the same Synod to the most Holy Roman Pontiff, who shall animadvert upon them according to the Quality of the Crime, even by deprivation, if there shall be occasion.

Chap. XV. That the Memory of the Fathers Incontinency, may be banished as far as possible from Places consecrated to God, where Purity and Holiness are most especially becoming; the Children of Clerks, not born in lawful Wedlock, shall not have leave to obtain any ecclesiastical Benefice, tho' of a different Nature in those Churches where their Fathers had or have any ecclesiastical Benefice, or to serve in any Capacity in the said Churches, or to have Pensions out of the Profits of those Benefices which their Fathers hold or have formerly held. And if a Father and Son shall be found to hold Benefices in the same Church at this time; the Son shall be obliged to resign his Benefice, or to change with some body else out of that Church within three Months; otherwise he shall be deprived of it *ipso jure*, and all Dispensations obtained upon that Account, shall be esteemed Surreptitious.

Moreover, all reciprocal Resignations, if any shall be hereafter made by Fathers that are Clergymen in favour of their Sons, that one may obtain the others Benefice, shall be looked upon as made absolutely against the Intention of this Decree, and of the Canonical Sanctions; and no Collations subsequent thereunto, by virtue of any such Resignations, or of any others whatsoever, fraudulently made, shall be of any Service to such Sons of Clerks.

Chap. XVI. The Holy Council decreeth, that no Secular ecclesiastical Benefices howsoever called, which by their first Institution, or by any other way whatsoever, retain the Care of Souls shall for the future be converted into simple Benefices, even tho' the perpetual Vicar be allowed a competent Portion; any Graces whatsoever, which have not obtained their Plenary Effect to the contrary notwithstanding.

But

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But in those Benefices, where, against their Institution or Foundation, the Cure of Souls hath been transferred to the perpetual Vicar, though it has been in that Condition for an immemorial Time; if a competent Portion of the Profits has not been assigned to the Vicar, howsoever called, it shall be assigned to him as soon as possible, within a Year at least after the Dissolution of this present holy Council, at the Discretion of the Ordinary, according to the Form of the Decree made under *Paul III.* of happy Memory (e). But if this cannot be conveniently done, or cannot be executed within the aforesaid Term; then as soon as by the Cessation or Decease of Vicar or Rector, or either of them, one of them shall be vacant, the Cure of Souls shall be reunited to the Benefice, the Name of Vicar shall cease, and every thing shall be restored to its first Estate.

Of the Respect due to Bishops.

Chap. XVII. The holy Council cannot but be exceedingly grieved, when it hears that some Bishops, forgetting their own Condition, do very much disgrace their Pontifical Dignity; whilst they pay indecent Submissions to Kings Officers, Viceroyes, and other Noblemen, both in the Church, and out of it; and like the inferior Ministers of the Altar, do not only give them Place, but also with Indignity pay them personal Service. Wherefore the holy Council detesting these and the like Things, revives all the holy Canons, Decrees of general Councils, and all other apostolical Ordinances which relate to the Honour of the episcopal Dignity, and the Gravity of that Office, and commands all Bishops to abstain from such Indignities for the future, requiring them to have a Regard to their Rank and Order both within the Church and without, and every where to remember that they are Fathers and Pastors; and others, Princes as well as all Persons besides, to pay them paternal Honour and due Reverence.

Of Dispensations.

Chap. XVIII. As it is expedient for the publick Good, sometimes to relax the Severity of the Law, that common Utility may be more fully provided for, according as Cases and Necessity of things may fall out; so to dispense with the Law too often, and to indulge Petitioners, rather because it is the Custom, than upon a certain Consideration of Persons and Things, is only to open a Passage to every Man to transgress the Laws. All Men therefore ought to know, that the most holy Canons ought to be exactly observed by every Man, as far as he is able, without Distinction: But if any urgent and just Reason, and some time a greater good shall require some to be dispensed with; it shall be done, after Examination of the Case, with the utmost Maturity, and *Gratis*, by all those to whom the Power of Dispensing belongs; and all Dispensations granted otherwise, shall be esteemed Surreptitious.

Duels prohibited.

Chap. XIX. The detestable Custom of Duelling, introduced by the Contrivance of the Devil to gain the Destruction of Souls, by the bloody Death of Bodies, shall be utterly driven out of the Christian World. The Emperor, Kings, Princes, Dukes, Marquesses, Counts, and all other temporal Lords, howsoever entituled, who shall allow a Place upon their Territories for a single Combat among Christians, shall be actually excommunicated, and understood to be deprived of the Jurisdiction and Dominion of that City, Castle or Place, in or about which they suffered this Duel to be fought, if they held it of the Church; and if it was held as a Fief, it shall be immediately acquired to the direct Lord.

But those that shall actually fight, and those that are called their *Godfathers* [or *Seconds*] shall be excommunicated, and shall forfeit all their Goods, and incur the Penalty of perpetual Infamy, and ought to be punished as Murderers by the holy Canons; and if they die in the Fight, they shall be perpetually deprived of Christian Burial.

Those also that have given Advice in the Case of a Duel, either as to Law or Fact, or shall by any

other way persuade any Man to it, or were Spectators of it, shall also be excommunicated, and bound by the Bond of a perpetual Curse; any Privilege whatsoever, or evil Custom, even immemorial, to the contrary notwithstanding.

Chap. XX. The holy Council desiring, that ecclesiastical Discipline may not only be restored among Christian People, but also perpetually preserved entire from all manner of Attacks; besides what it has decreed concerning ecclesiastical Persons, judgeth that secular Princes ought also to be admonished of their Duty, being confident, that they as Catholics, whom God has appointed to be Protectors of his holy Faith and Church, will not only suffer its Rights to be restored to the Church, but will also oblige all their Subjects to pay due Reverence to the Clergy, their Parish-priest, and the superior Orders; and that they will not suffer their Officers, or inferior Magistrates, to violate the Immunities of the Church and of ecclesiastical Persons, which are establish'd by the Ordinance of God, and by canonical Sanctions, either out of a greedy Desire, or through any Inconsiderateness; but will oblige them, and also be an Example to them, to pay a due Observance to the holy Constitutions of sovereign Pontiffs and Councils.

The holy Council therefore decreeth and commandeth all Men exactly to observe the holy Canons, and Decrees of all general Councils, and other apostolical Constitutions made in favour of ecclesiastical Persons, and ecclesiastical Liberty, and against its Violators; all which it doth also revive by this present Decree. And for that Reason, it admonisheth the Emperor, Kings, Republicks, Princes, and all and every other Persons, of what Rank and Dignity soever they be, that by how much they are the more liberally endow'd with temporal Goods, and with Power over other Men, by so much they pay a more holy Veneration to those Things which are of ecclesiastical Right, as principally appertaining to God, and under his particular Protection; and that they do not suffer any Barons, Gentlemen, Governors, or other temporal Lords or Magistrates, especially any of their own Officers to do them any Injury; but to punish those severely who disturb them in their Liberties, Immunities and Jurisdictions; setting them an Example themselves, in whatsoever relates to Piety, Religion, and the Protection of the Church; imitating their most holy and religious Predecessors, who not only preserved it from foreign Injuries; but were the chief Increasers of its Interests by their own Authority and Munificence. That so every Man may diligently do his Duty in this Matter; and that the Worship of God may be devoutly performed, and the Prelates, and other Ecclesiasticks in their several Residences and Offices, may continue quietly, and without Molestation, to the Profit and Edification of the People.

Chap. XXI. Lastly, the holy Council declares, That all and every of the Things, under whatsoever Clauses and Terms they have been decreed, concerning Reformation of Manners and ecclesiastical Discipline, as well under the sovereign Pontiffs *Paul III.* and *Julius III.* of happy Memory, as under our most holy Father Pope *Pius IV.* in this holy Council, have been decreed in such a manner, as that the Authority of the apostolical See has been, and has always been, understood to be preserved untouched.

Since all those Things which were to be handled in the present Session, could not be conveniently dispatched because it is so late; therefore, according to what the Fathers had resolved in the general Congregation, what remains is put off till to morrow, and this same Session is hereby continued till to morrow.

Accordingly the following Decrees were not read and publish'd till next Day.

Decree to continue the Session to next Day.

The History of the Council of Trent.
I. For as much as the Power of granting Indulgences has been granted by Jesus Christ to the Church, which even from the earliest Times has made use of that very Power which was given to it from God :

Decree concerning Indulgences.
The holy Council teacheth and commandeth, that the use of Indulgences, so very saving to Christian People, and approved by the Authority of holy Councils, ought to be retained in the Church ; and and condemneth those by *Anathema*, who either affirm them to be useless, or deny that the Church has a Power of granting them ; only it wishes that there might be Moderation shewn in granting them, according to the ancient and approved Custom in the Church, lest by too much easiness the Discipline of the Church may be weakned.

But as for the Abuses which crept in among them, by reason whereof, this remarkable Word *Indulgence* is blasphemed by Hereticks ; those the holy Council desiring to have reformed and corrected, doth by this present Decree in general enact, That all wicked Gain in procuring them, which has been the Cause of very many great Abuses among Christian People, shall be abolished. And for the rest which have arisen from Superstition, Ignorance, Irreverence, or from any other Cause whatsoever, since by reason of the various Corruptions of the Places and Provinces where they are committed, there cannot be a special Prohibition conveniently made : It commands all Bishops, to collect each Man diligently in his own Diocese all these sort of Abuses, and to report them in the first provincial Synod ; that so, when they have been declared to be such by the Sentence of other Bishops, they may immediately be laid before the sovereign Pontiff ; by whose Authority and Prudence, that may be determin'd which shall be most expedient to the universal Church ; and consequently, that by this means the Treasure of sacred Indulgences may be dispensed to all the Faithful, piously, holily, and without Corruption.

Decree concerning Abstinence from Flesh, Fasts and Feasts.
II. The holy Council moreover exhorteth, and by the most holy Coming of our Lord and Saviour, conjureth all Pastors, that, as good Soldiers, they diligently recommend to all the Faithful, all those things which the holy *Roman* Church, the Mother and Mistress of all Churches, hath commanded ; as also those things which have been commanded both in this, and in other œcumenical Councils ; and that they use all manner of Diligence to bring the People to Obedience as to all these Matters, and especially as to what relates to mortifying of the Flesh, as difference of Meats, and Fastings ; as also what conduces to the increase of Piety, as the devout and religious Celebration of Festival Days ; exhorting the People frequently, to obey those that are set over them ; since those that hear them, shall hear God as a Rewarder ; but those that despise them, shall feel that God to be an Avenger.

Decree concerning the Catalogue of prohibited Books, the Catechism, the Missal and Breviary.
III. The holy Council in the second Session, which was held under our most holy Lord *Pius IV.* gave a Commission to some Fathers nominated on purpose, to consider what was fit to be done with relation to several Censures, and Books either suspected or pernicious, and to lay it before the holy Council itself ; and now it hears that they have set their last Hand to that Work ; which however, by reason of the variety and the multitude of those Books, cannot be distinctly and conveniently examined by the holy Council ; wherefore it commands, that all that they have done be laid before the most holy *Roman* Pontiff, that it may be determin'd and publish'd by his Judgment, and his Authority. It commands also the same Thing to those Fathers who were appointed to draw up the *Catechism*, the *Missal* and the *Breviary*.

Declaration concerning the Ambassadors Place in the Council.
IV. The holy Council declares, That by the Place which was assigned to the Ambassadors, both Ecclesiastical and Secular, in Sessions, Processions, or at any other publick Actions whatsoever, no Prejudice has been done to any of them ; and that all the Rights and Prerogatives of themselves, and of

Emperor, of Kings, Common-wealths, and their own Sovereigns, are entire and untouch'd, and continue in the same State which they were in before the present Council.

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Of the Reception and Execution of the Decrees of the Council.
V. The Calamity of these Times has been so great, and the Malice of Hereticks so inveterate, that nothing has been so evident in the Confirmation of our Faith, or so certainly establish'd ; which they, by the Persuasion of the Enemy of Mankind, have not defiled by some sort of Error ; for which Reason, the holy Council has taken most especial Care to condemn and anathematize the principal Errors of the Hereticks of our Times, as it has condemned and anathematized them ; and to deliver and expound the true and Catholick Doctrine, as it has also taught it. Now since so many Bishops who are called together from several Provinces of the Christian World, cannot be so long absent from their Churches without doing great prejudice to the Flock with which they are entrusted, and causing an universal Danger ; neither is there any Hope, that the Hereticks who have been so often invited, even under the Security of the publick Faith which they desired, and so long expected, should come hither afterwards ; and consequently, that there is a Necessity at last of closing this holy Council : There is nothing more to be done, but to admonish, as it hereby does, all Princes in the Lord, so to lend their Assistance, as not to suffer what it has decreed to be deprived or violated by Hereticks ; but rather that they, and all other Persons receive them devoutly, and observe them faithfully.

But if any Difficulty should arise in their Reception, or any thing should happen, which it does not believe, that may need an Explication or Resolution, besides the other Means appointed by this present Council ; it trusteth, that the most holy *Roman* Pontiff will take Care, that either by calling up some out of those Provinces, especially where the Difficulty shall have arisen, whom he shall think proper to be employed in the Examination of that Matter, or by holding a general Council if he shall judge it to be necessary, or by whatsoever other way he shall judge to be most convenient, the Necessities of the Provinces be provided for, so as to promote God's Honour and the Peace of the Church.

VI. For as much as several Things have been at several Times decreed and defined, relating to Dogmes and to Reformation of Manners, as well under *Paul III.* as under *Julius III.* of happy Memory, the holy Council commands that they be now recited and read.

Decree for reading the Decrees made under Paul III. and Julius III.
Then the Decrees concerning Faith and Reformation, made under *Paul III.* and *Julius III.* were read, and the Secretary appeared in the middle of the Assembly, and asked the Fathers, *Whether they were content*, that the Council should be closed, and that the Legates should in their Name desire a Confirmation of all their Decrees from the Pope. All the Fathers answer'd, *They were content*, but three ; and they said, They desired no Confirmation, as *Gentianus Hervetus's* Translation of the Council observes. After that, Cardinal *Morone* gave them the Blessing, saying, *When you have given God Thanks, most Reverend Fathers, go in Peace* ; to which they answer'd, *Amen*. This was follow'd by Acclamations, in Imitation of what had been practis'd in ancient Councils, particularly in that of *Chalcedon*, in which the Bishops, by those Acclamations, testified their Respect and Acknowledgment to the sovereign Pontiffs, and the Emperor. The Cardinal of *Lorraine* drew up those which were made at the Council of *Trent*, and was the first also that thunder'd them out. He began with Vows for the long Life of the Pope, and the Immortality of his Glory, as also for the Repose and Felicity of the Souls of *Paul III.* and *Julius III.* and went on with blessing the Memory of *Charles V.* and of the Kings who had been Protectors and Promoters of that Council ; with Wishes of long Life to the Emperor *Ferdinand*, to Kings and Princes, with a long

The History of the Council of Trent. Continuance to Commonwealths, and with Thanks to the Legates, Cardinals and Ambassadors. He wished the Bishops a long Life, and a happy Return to their Churches; and concluded with commending the Decrees of the Council, saying, *This is the Faith of St. Peter and the Apostles; this is the Faith of the Fathers; this is the Faith of the Orthodox.* Then the Fathers pronounced an Anathema against Hereticks.

Subscriptions to the Decrees of the Council. Then the Legates requir'd all the Fathers, under pain of Excommunication, to sign the Decrees of the Council with their own Hands before they departed. That they did the Sunday following, and their Signatures were to the number of 255; namely, 4 Legates, 2 Cardinals, 3 Patriarchs, 25 Archbishops, 168 Bishops, 7 Abbots, 39 Proctors of absent Prelates, and 7 Generals of Orders. The Ambassadors ought to have sign'd after the Fathers; but to avoid Disputes, they did not sign upon the Original, but upon different Copies. The Count de Luna, who opposed the Closing of the Council, would not sign its Decrees.

Card. of Lorraine's Protestation. Some Days before the Council broke up, the Cardinal of Lorraine gave in a Declaration in Writing, in the Name of the Gallican Church, and demanded to have it inserted in the Acts. The Words are these: *It was some Days ago, that giving my Opinion concerning some Articles of Reformation, I at the same time declared, that I wish'd the Church were restored to its ancient Discipline. But however, considering that in so unhappy an Age as this, and under so great a Depravation of Manners, the Remedies, which are judg-*

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Thanksgivings made at Rome for the Conclusion of the Council. It is incredible, says Palavicini, how much the News of the Conclusion of the Council revived the Pope in his Sickness; so that, adds he, his Holiness would not have been without a Sickness which had been so useful to the Church. He immediately therefore called a Consistory upon Decem. 12. in which, he acquainted the Cardinals with the Council's being ended, and order'd a solemn Procession to be made next Day to give Thanks to God, and granted Indulgences to those that should assist at it.

C H A P. XXII.

Confirmation of the Council by the Pope. Reception and Publication of its Decrees in several Kingdoms. France refuses to receive and publish them. Pope's and Clergy's Sollicitations to have them received there to no purpose. Articles of the Council contrary to the Usages of the Kingdom, and to the Liberties of the Gallican Church.

Debate concerning the Confirmation of the Council. OF the four Legates, none gave a personal Account to the Pope of what had pass'd in the Council, but Morone and Simoneta; Nazzigerius and Hosius return'd to their Dioceses. The Pope gave them several Audiences, and caused it to be debated whether he should confirm the Decisions of the Council. The Officers of the Court of Rome opposed their Confirmation, and some Cardinals were of opinion that they should only confirm the Decrees of Faith, without mentioning those of Reformation. The Pope chose eight Cardinals, namely, Morone, Sarraceno, Cicada, Alessandrino, Araceli, Simoneta, Borromeo, and Vitelli, to advise him what he should do in that Conjunction. To whom he join'd afterwards, the Cardinals de la Bourdassiere and da Mula. This last was of opinion, that the Pope should confirm all the Decrees of the Council without restriction. Buoncompagno was of the same mind, and was follow'd by several others.

December 30. the Pope call'd together all the Cardinals, and made a Speech to them, in which he commended the Legates and Fathers of the Council of Trent, and declar'd his Approbation of the Decrees which they had made concerning Reformation, and said he would have them executed. Accordingly he commanded all Bishops to go to their Dioceses. In particular, he commended the Regulation which they made about the Seminaries. Lastly, he told them, he was resolv'd to confirm the Decrees of the Council of Trent without any reserve.

Confirmation of the Council. This Confirmation was solemnly made in the Consistory January 26. 1564. Morone and Simoneta first set forth the Tenor of the last Decree of the Council, by which they were requir'd to desire a Con-

firmation, and pray'd his Holiness to vouchsafe to confirm all that had been done by the Council under his Predecessors Paul III. and Julius III. and during his own Pontificate. The Pope having caused that Decree to be read, and having taken the Advice of the Cardinals, who were all for an absolute Confirmation (except the Cardinals of St. Clement and Alessandrino, who said they were for excepting some Chapters which gave too much Authority to Bishops) he confirm'd all the Decrees of the Council without exception and reserve, and enjoin'd all the Faithful to receive and observe them inviolably.

The Bull was drawn up the same Day, and sign'd by all the Cardinals. It sets forth, that God, who is the Father of Mercy and Author of all Comfort, having vouchsafed graciously to look upon his holy Church, which has been agitated and tormented with so many Storms and Tempests, and which every day suffered more and more, has at last reliev'd it by a proper and long wish'd for Remedy. That the oecumenical and general Council, which had been called a long time before in the City of Trent, by his Predecessor Paul III. to extinguish Heresies, correct Manners, restore ecclesiastical Discipline, and to procure the Peace and Unity of Christian People, and had been begun for some Sessions under his Pontificate, was called again in the same City under his Successor Julius III. but could not then be concluded after several Sessions held under his Pontificate, because of the Impediments and Difficulties which it met with; and so had been long interrupted, to the great Grief of all pious Persons, because the Church daily desired that Remedy. That when he was rais'd to the Pontificate, he had undertaken to

continue that holy Work, with the Assistance of the Emperor *Ferdinand*, and of other Christian Kings, Princes and States; and that by his constant Care he had at last brought it to Perfection: That Prelates out of every Nation in *Christendom* had met in that Assembly, besides many others who were thoroughly versed in the Knowledge of divine and human Laws, where his Legates presided; who left the Council so much at liberty, that by his leave they had treated of Things reserved to the holy See, and had made several Decrees concerning the Sacraments, and other Matters, to extirpate Heresies, remove Abuses, and reform Manners: That every thing past so unanimously in the Council, that it was plain this was the Lord's Doing: And that when they had afterwards desir'd, by a Decree on purpose, that the Decrees made under his Pontificate, and that of his Predecessor, might be confirm'd; after having understood, that all the Decrees of this Council were catholick, useful, and wholesome for all Christian People, he did confirm them in his secret Consistory, and does now confirm them by these Letters; commanding all Prelates to cause them to be observed inviolably; conjuring the Emperor, Kings, Princes, and Republicks, to assist the Prelates in the Execution and Observation of these Decrees, and not to permit Opinions contrary to the holy Doctrine of the Council to get admittance into their States. And that the Confusion which might arise, if every one were at liberty to interpret these Decrees of the Council, may be avoided; he expressly prohibits all Persons, as well ecclesiastical as secular, to publish any Commentaries, Glosses, Annotations or Interpretation of these Decrees, even under a pretence of giving them greater Force, and of facilitating their Execution: Willing and requiring, that if there be any thing obscure, and that needs to be explained and decided, Men should address themselves to the holy apostolical See; and reserving to himself a Power of clearing the Difficulties which should arise upon that Subject, as the holy Council decreed. He declares however, (a) that the Decrees of the Council should not begin to oblige universally till *May 1. 1564.* Afterwards he appointed a Congregation to execute and interpret the Decrees of the Council (b).

Council received at Venice, in Spain and its Dependencies, Portugal, and Poland.

The *Venetians* were the first that receiv'd the Decrees of the Council of *Trent*. The Senate caused them to be solemnly publish'd in *St. Mark's Church*, and commanded them to be executed. The King of *Spain*, who was vex'd that the Council had been closed against his Opinion, was not so ready to receive it: He hesitated some time whether he ought to do it; and caused several Synods to be held, to which he sent his Commissioners to enquire, what it was fit for him to do upon that Occasion? At last he concluded in his Council, that the Council should be receiv'd and publish'd in his Dominions, without any formal Restriction; only with a Proviso, to save the Rights of the Prince and Kingdom. Thus it was publish'd not only in *Spain*, but also in *Flanders*, and in the Kingdoms of *Naples* and *Sicily*. The King of *Portugal* made no scruple of receiving the Decrees of the Council, without any Limitation. *Commendone* also got them to be receiv'd in a Dyet of *Poland*, *Aug. 17. 1564.*

Demand made by the Germans, of the Cup, and of the Marriage of Priests.

In *Germany* the Protestant Princes would not hear speak of the Council. The Ministers of the *Augsburg* Confession protested against its Decrees. The Emperor, the Duke of *Bavaria*, and the other catholick Princes, earnestly solicited the Pope to allow a Liberty to the Faithful to communicate under both Kinds; and to the married Priests, to keep their Wives when they entred again into the Church; assuring him, that that was the Method to preserve the Remains of the catholick Religion in *Germany*, and to drive out Heresie by little and little. The

Letter which *Ferdinand* wrote upon that Occasion was written *Feb. 14. 1564.*

When the Pope had propos'd the Thing to the Consistory, he resolv'd, by the Advice of several Cardinals, to give some of the *German* Bishops a Power of permitting Men to communicate under both Kinds, in Places where there should be lawful Reasons of granting such a Permission, and under certain Conditions which were directly express'd. As to the other Article, of the Marriage of Priests, nothing was granted: For which Reason, *Maximilian II.* Successor to *Ferdinand*, solicited the Thing anew, but to no purpose. His Letter to obtain that Request was dated *Nov. 28. of the same Year.*

France never gave in to the desire, that the Decrees of the Council might be receiv'd: On the contrary, whatsoever Solicitations the Popes made by their Nuncio's, to cause them to be receiv'd and published there, our Kings would never receive or publish them in the Kingdom, so as to obtain the Force of a Law. As soon as the Council was dissolved, *Prosper de Santa Croce*, Nuncio in *France*, being return'd thither, desired *Queen Catherine de Medicis* to cause the Decrees of the Council to be receiv'd in that Kingdom. The Queen made answer, that there ought to be some Time given to have these Decrees examined, and to stay for the Return of the Cardinal of *Lorraine*. When that Cardinal was come home, she called her Council, and summoned in the four Presidents of the Courts of Parliament, and some Advocates, whose Opinions she took. It was resolv'd, notwithstanding the Solicitations of the Cardinal of *Lorraine*, that the Publication of the Council should be put off. The Queen excus'd herself to the Nuncio, by saying, that the King of *Spain* had not yet received it in his Dominions: And when she understood that he had receiv'd it, she said, that solid Nourishment was proper for *Spain*, which was a healthy Body; but *France*, which was weak and sickly, could not bear it. At last being press'd to give the Reasons for which she refused to receive the Decrees of the Council, she gave two; one, because it would provoke the Hugonots: The other, because the Council forbade *Commendams*, and several other Customs allow'd in *France*.

The Pope was not contented with the Solicitations of his Nuncio at the Court of *France*, to obtain the Reception of that Council in that Kingdom; but he also procured the Emperor *Ferdinand*, *Maximilian* King of the Romans, *Philip* King of *Spain*, and the Duke of *Savoy*, to join with him in sending Ambassadors to the King of *France*, to desire him to call a Meeting at *Nancy*, where they might hear the Decrees of the Council read, and swear to the Execution of them. The King reply'd, that it was a Matter of too great Importance to be concluded so suddenly; and therefore he would first call together the Princes and great Men of his own Kingdom. These Princes were contented with that Answer; and insisted no longer upon desiring to have that Assembly called, which never met.

The Dispute concerning the Precedence of the French Ambassador above the Spanish, was renewed at *Rome*. At last, *Aug. 8. 1564.* the Pope adjudged the Possession to the French Ambassador; thinking thereby to facilitate the Reception of the Council in *France*. He sent also *Antenori*, his Nuncio, thither; who carried along with him a Breve, whereby the Alienation of ecclesiastical Possessions was permitted to a certain Sum; less however than what the King had already alienated. He offer'd also at the same time to give the Legation of *Avignon* to the Cardinal of *Bourbon*. This seem'd to be a favourable Conjuncture for obtaining the Reception of the Decrees of the Council of *Trent*. *Antenori* earnestly desir'd it; and they told him, he must stay till the War against the Hugonots was ended.

[(a) This Declaration was made in a distinct Bull, dated July 18. 1564.]

[(b) This Congregation which was constituted on purpose by

what they call at *Rome* a *Motus proprius*, dated *Aug. 10. 1564.* consisted of eight Cardinals; *Morone*, *Sarraceno*, *Cicada*, *Alejsandrino*, *Araceli*, *Simoneza*, *Botromeo*, and *Vitelli*.]

Afterwards the Pope and Bishops of France made frequent Attempts to get the Decrees of the Council of Trent receiv'd; but the Kings, their Council, the Parliament of Paris, and the States of the Kingdom, always rejected that Proposal.

In 1572. Cardinal *Alessandrino* passing through France, at his Return out of Spain, made new Sollicitations to get the Council of Trent received: But his Negotiations were successless. The Cardinal of Lorraine sent Word to Pope Gregory XIII. some time after the Massacre of St. Bartholomew, That that was a favourable Conjunction to get the Council receiv'd in France: The Pope accordingly sent Cardinal *Ursini* thither upon that Errand, but to no manner of Purpose.

After Charles the IXth's Death, the Pope labour'd the Reception of the Council with Henry III. And the Hugonots fearing that that Prince would yield to his Sollicitations, got the King of Navarre to write to him. Henry III. made Answer, Brother, Those that told you I intended to publish the Council of Trent, are very ill informed of my Intentions; for I never once thought of it: And I too well know how much such a Publication would prejudice my Affairs; and I am not less jealous of my Authority and the Pre-eminence of the Gallican Church, and equally careful to preserve the Edict of Peace. He told the Nuncio, That there need'd no Publication of the Council, as to what relates to Faith; for that was already observed in his Kingdom: But since there were some other Articles, upon the Account of which they could not publish the Council; he would, by Edicts of his own, cause what was decreed by the Council to be observed.

At the States of Blois, in the Year 1576, the Clergy desired the Council of Trent might be receiv'd; but the Chapters of Cathedral Churches oppos'd it, and the Council was not receiv'd.

Arnaud de Pomrac, Bishop of Bazas, in 1579. made a Speech to the King in the Name of the Clergy, and earnestly desired that the Council of Trent might be received. De Marca speaks of an Edict published that Year, by which he pretends that it was declared, That the Council should be receiv'd in Matters of Faith, but not of Discipline: But this Edict is not to be found, and no Author of that Time mentions it. Rene de Baulne, Archbishop of Bourges, in 1582. made the same Request in a Speech on purpose, which did not make any Impression upon the Mind of the King.

One of the Articles of the League concluded in 1584. with Spain, set forth, That the covenanting French Princes should cause the sacred Decrees of the Council of Trent to be observed in France. This same Clause was proposed by the Cardinal de Pellevé, in the Assembly of the League held in 1593. But when several oppos'd it, the President le Maître and some others were named to examine that Matter, and report it to the Assembly.

At the States of Blois, held in 1588. the Clergy demanded also to have the Council of Trent receiv'd. The King, to answer them, called a Meeting of his principal Officers; who remonstrated to him, That he ought not to think of it.

Henry IV. was less sollicitated than his Predecessor, to cause the Council of Trent to be receiv'd. Pope Clement VIII. among the Conditions of his Absolution, insert'd this, That that Prince should cause the Council of Trent to be published and observed, except in those Things which cannot be executed without disturbing the Peace of the Kingdom. The Clergy of France join'd their Instances to the Pope's; and in Nov. 1595. Nicholas l'Angelier, Bishop of St. Brioux, deputed from the Clergy to make their Speech to the King, earnestly begg'd that the Council might be publish'd: But the King having made no Steps upon that Petition, the Clergy deputed in the same Month the Bishop and Count de Noion to renew their Sollicitations. Cardinal d'Osat being press'd by the Pope to oblige the King to keep his Promise which he had made and sworn to him, to cause the

Decrees of the Council to be observed in his Kingdom, wrote earnestly to the King and his Ministers, and exhorted His Majesty to comfort the holy Father, by causing the Council of Trent to be published. Cardinal Bandini said besides to d'Osat, That they would be contented at Rome with its Publication, even tho' no Execution followed; and he offered to heal all by a Salvo of two or three Lines to those Things of which the Parliament might complain. The King, to content the Pope, sent a Project of an Edict to Rome, for the Publication of the Council; which being approved of, was signed, sealed, and sent to the Parliament to be verify'd: But so many Difficulties were started, that the King was obliged to withdraw it, and he himself alter'd his Opinion and Design.

For the General Assembly of the Clergy in 1606. having solicited as well as the Precedent ones in 1596, 1597, 1598, 1600, 1602, and 1605. that Prince to cause the Council of Trent to be receiv'd; the Answer to the Paper of the Clergies demands, sets forth, That the King cannot proceed any farther in the Publication of the Council, for the same Reasons and Considerations which withheld his Predecessors, who, at the Request of the Clergy, insert'd into their own Ordinances most of what is in the Articles of the Council; and besides, when he commanded his Ambassadors to confer with the late Pope Clement VIII. His Holiness was satisfied with his Zeal and Affection, and took what he caus'd them to represent in good Part.

In the Assembly of the States, in 1615. the Clergy used their utmost Endeavours to cause the Council of Trent to be receiv'd. The Bishop of Beauvais, who spoke in the Name of the Clergy in the Chamber of the third Estate, remonstrated, That the Council of Trent ought no less to be receiv'd in France than other Councils: That the Faith of that Council was inviolable: And as to the Obstacles which had been formed in Matters of Government, as tho' it was prejudicial to the State, to the Crown, and to the Liberties of the Gallican Church; he affirm'd, That that ought not to be insisted upon, because the Council had never struck at the Authority of the Gallican Church; and that what it had decreed for Italy and Spain, ought not to extend to France: That there was nothing in the Council against the King's Authority: Last of all, That the Clergy offer'd now, and had always offer'd, to enter into a Conference upon the Difficulties which might arise upon that Subject, either with the Officers of the Parliament, or with the Deputies of the third Estate. The President Mironé answer'd this Discourse of the Bishop of Beauvais; and then the Matter was debated, and it was resolv'd; that it was not convenient to publish the Council of Trent: And when the Bishop of Beauvais came a second time bring the Article which the Clergy drew up for the Reception of the Council, with this Clause Provided nevertheless, that it does not prejudice the Usages of the Church of France, nor the Rights of the State, for which his Holiness shall be petition'd to qualify the Council; the President Mironé replied, That that Body could not at that time receive the said Council, tho' it embraced the Faith therein contained notwithstanding: But as for its Regulations, they could not hear of them, since they were prejudicial to the Rights of the State. However, when the Remonstrance to the King, for the Reception of the Council, was printed, the Provost of Paris gave Sentence to have that Book suppress'd.

After that time, the general Assemblies of the Clergy of France always continued to demand of the King the Publication of the Decrees of the Council of Trent, but were never able to obtain it.

The Reasons for which they would never receive the Decrees of the Council of Trent in France, may be reduced to two Heads; first, The Attempt upon the Jurisdiction of Princes and Magistrates: Secondly, The Liberties of the Gallican Church.

Confirmation of the Council by the Pope, &c. Articles for which the Council of Trent was never received in France.

The principal Articles, in which it is pretended that the *Jurisdiction of Kings and Magistrates is struck at*, and that the Council claimed an Authority to it self which did not belong to it, are these: *Ses. 25. ch. 19. of Reformation*, it forbids Duels; and at the same time excommunicates Emperors, Kings, and other Princes, who suffer them; and declares them deprived of the Right and Dominion of the City, Cattle, or other Place in which they shall permit a Duel to be fought. *Ses. 24. ch. 9.* the Penalty of Excommunication and Deprivation of Goods is also inflicted upon Kings. *Ses. 24.* the Council gives Bishops a Power of punishing Authors and Printers of prohibited Books, and of laying a pecuniary Fine upon them. *Ses. 5. ch. 1. of Reformation*, and *ch. 4.* it enjoins Bishops to force Ecclesiasticks, by depriving them of the Revenue of their Benefices. *Ses. 5. ch. 15. Ses. 18. ch. 8. and Ses. 22. ch. 8.* it gives the entire Disposition of Hospitals to Bishops (c). *Ses. 14. ch. 5.* it takes away the Jurisdiction of the Conservators. *Ses. 21. ch. 6.* it allows Bishops a Power of obliging Parishioners to allow a Maintenance to their Priests. In the same Session, *ch. 4. & 8.* it gives them, as Delegates of the holy See, a Power of forcing Laymen to repair Churches, and putting the Profits of Benefices under Sequestration. *Ses. 22. ch. 10.* it allows Bishops to punish Imperial and Royal Notaries, and to suspend them from the Exercise of their Function. *Ses. 22. ch. 6.* it gives Bishops a Power to change Testators Wills; and *ch. 7.* it says, that Appeals from the temporal Judges of Bishops shall be cognizable before the Archbishops. *Ses. 23. ch. 6.* it confirms Pope Boniface VIII's Constitution; by which, *Tonsured Clerks*, tho' married, provided they be not *Bigami*, are exempt from Lay-jurisdiction. *Ses. 24. ch. 1. of Matrimony*, the Marriages of the Sons of the Family under their Fathers Power, made without their Parents Consent, are declared valid. *Ibid.* the Council gives Bishops a Power of punishing not only those that contract clandestine Marriages, but also the Witnesses that assisted at them. *Ibid. ch. 8. of Matrimony*, Ordinaries are allowed to banish Concubinaires, and to punish them even more severely. *Ibid. ch. 15. of Reformation*, the Council gives Bishops a Power to unite Prebends, and to turn the whole into Distributions. *Ses. 25. ch. 3. of Reformation*, ecclesiastical Judges are permitted to cause their Sentences against Laymen to be executed, by seizing of the Profits of their Estates, and even by Imprisonment of their Persons. *Ibid. ch. 8.* the Council gives Bishops a Power of converting the Revenues of Hospitals into other Uses. *Ibid. ch. 9.* Cognizance of Right of Patronage is given to Bishops.

All these Decrees, by which the Council challenges to it self, or to Bishops, an Authority and a Jurisdiction over Bodies and Estates, seemed to the Magistrates to be an Encroachment upon their Jurisdiction. But that which shocked them most was, that the Council seemed to overturn the Liberties of the *Gallican Church*, and to destroy its principal Ar-

Confirmation of the Council by the Pope, &c.

ticles. The Superiority of Councils above the Pope, is its Foundation. This the Council not only did not own, as the Councils of *Constance* and *Basil* had done; but it seems to have favoured the contrary Opinion, by submitting its Decrees, as it did the last Session, to the Judgment of the Pope, when it requires a Confirmation to be demanded from him, and declares, (*Ses. 25. ch. 21. of Reformation*) that all the Decrees of the Council ought to be understood and explained with a Saving to the Authority of the holy apostolical See.

One of the principal Articles of the Liberties of the *Gallican Church*, is the ancient Custom of judging of Bishops. This the Council of *Trent* has departed from, when it commanded that criminal and important Causes against Bishops, even of Heresie, which deserves Deprivation of Dignity, should be heard and judged by the Pope alone, exclusively of all others. *Ses. 24. ch. 5. of Reformation.* This Practice is absolutely contrary to the Disposition of the ancient Canons, and the Usage authorized in this Kingdom. It is contrary likewise to the *Concordat*, and the Laws of the Kingdom, which do not allow that any of the King's Subjects should be compelled to go in Person to plead out of his Dominions. *Ses. 6. ch. 1. of Reformation*, the Council gives the Pope a Power of deposing non-resident Bishops, and of putting others in their Places. This also is an Encroachment upon the episcopal Authority, and a Breach of the *Concordat*. *Ses. 24. ch. 20. of Reformation*, it is said, that that some Causes ought to be tryed in the first Instance, [before their Ordinaries;] and yet the Council allows the Pope to call ecclesiastical Causes, which are depending before the Ordinary, up to *Rome*. This is a Derogation to the Rights and Liberties of the *Gallican Church*. The Council also seems to lessen the episcopal Character, and to take from Bishops that Jurisdiction which belongs to them *Jure divino*; when it allows them no Power of exercising it in several Cases, but as Delegates of the holy See. Lastly, the Council of *Trent* in several Cases derogated from the received Usages of the Kingdom; as in Appeals as from an Abuse, in Commendams, in Indults, in Ordinances, by which secular Judges require Monitions to be published, in Lay-rights of Patronage, and in several other Customs received in *France*.

These are the Motives upon which the Magistrates have hitherto opposed the Reception and Publication of the Council of *Trent* in *France*, and which have hinder'd our Kings from suffering it. Tho' otherwise the Doctrine of the Council is approved here, and it is acknowledged that several very useful Regulations were made in it for the Reformation of Manners, which the Church of *France* has adopted; because they are taken out of the Canons, conformable to the ancient Discipline of this Church, revived by the Statutes of its Councils, and inserted into the Ordinances of our Kings.

[(c) These Citations of the Canons of the Council are not all right. This is taken notice of, that it may not be laid upon

those that took Care of the Publication of this Translation.

BOOK IV.

Containing a History of what happen'd most Remarkable in Europe, relating to Religion, from the Conclusion of the Council of Trent, to the End of the Century.

CHAPTER I.

Succession of Popes to the End of the Century.

Succession of Popes to the End of the Century

Pius V.

Gregory XIII.

Sixtus V.

PIUS IV. dying Dec. 9. 1565, Cardinal *Alexandrino* was chosen in his Place Jan. 7. following. This Cardinal was called *Michael Ghisleri*: He was born in 1504, in the Village of *Bosco*, near *Alexandria*, from whence he took the Name of *Alexandrino*. He went into the *Dominican* Order, and by the Favour of Cardinal *Caraffa* got to be *Commissary of the Holy Office*. When *Caraffa* was made Pope, he made him a Cardinal in the Year 1557. When *Ghisleri* was chosen Pope, he took the Name of *Pius V.* He governed the Holy See with great Prudence and Wisdom: He caused the Decrees of the Council of *Trent* to be exactly observed, particularly that of Residence: He commanded, That no Man should be admitted to Ecclesiastical Benefices [that would not reside:] And when one told him, That that was the way to destroy the Court of *Rome*; he said, the Court of *Rome* had better be destroy'd, than the Service of God neglected. He dy'd with a Reputation of Sanctity, May 1. 1572, after having had the Happiness of seeing the Christian Princes united against the Turk.

Hugo Boncompagnus, of *Bononia*, succeeded him: He was a Man of Merit, and one that, after he had gone through several Employments, was created Cardinal in 1565 by *Pius IV.* He was chosen May 13. 1572. and took the Name of *Gregory XIII.* He governed the Church of *Rome* near thirteen Years; and dy'd April 10. 1584, aged 83 Years. We owe the Reformation of the Calendar to him.

Sixtus V. who succeeded him, was the Son of a poor Peasant, one *Francisco Perretti*, of the *Borgo de Grotti* in *Marca Anconitana*. He was born Dec. 13. 1521; and called *Felix*; but afterwards took the Name of *Montalto*, from the Name of a Village near the *Borgo de Grotti*. His Father was so miserably Poor, that [in his Childhood, *Felix*] was forced to keep Hogs: But this young Boy had Nobler Inclinations; and having met upon the Road one *Michael Angelo Celleri*, a *Franciscan*, who ask'd him the Way to *Ascoli*; he not only put him into the Way, but follow'd him to *Ascoli*; and would not leave him, but turned *Franciscan*. His Parts were so good, that tho' he wanted the

necessary Assurances, and was little considered by his Superiors, yet he became very considerable; took his Doctor's Degree, preached with Reputation, and taught Divinity in several Places. His ill Humour, or the Jealousy of his Brethren, drew several Persecutions upon him in his own Order: But he found Means to master them, and to accompany Cardinal *Boncompagno* who went Legate into *Spain*. Cardinal *Alexandrino*, who was his Protector and his Friend, being chosen Pope, he was called again to *Rome*; first made General of his Order, then Bishop, and at last Cardinal. He had no great Share in Business in *Gregory XIII.*'s Time; but after his Death he was chosen Pope April 24. 1585. and took the Name of *Sixtus V.* He govern'd *Rome* with great Haughtiness and Severity. He dy'd Aug. 27. 1590.

John Baptista Castagna a *Roman*, Son of *Cosmo* a *Genoese*, Urban who had been Nuncio in *Spain*, and was created Cardinal VII: by *Gregory XIII.* was chosen Pope in *Sixtus V.*'s Room, Sept. 14. and call'd himself *Urban VII.* He enjoy'd that Dignity but a little while, for he dy'd the Eleventh Day after his Election.

Nicholas Sfondrati, a *Milanese*, a Cardinal also of *Gregory XIII.*'s Creation, who, when Pope, was called *Gregory XIV.* did not sit much longer upon *St. Peter's* Chair: For he was chosen Dec. 3. 1590, and dy'd Oct. 15. following.

The Pontificate of *Innocent IX.* was yet shorter. When *Innocent* he was Cardinal he was called *Antonio Fachinetti*. He was IX. chosen Oct. 29. and died within two Months.

Cardinal *Hippolito Aldobrandini*, who succeeded these Popes Feb. 26. 1592, and who took the Name of *Clement VIII.* enjoy'd that Dignity till the Year 1605.

Nothing happen'd in *Italy*, during these Pontificates, relating to the general State of the Church; nor were there any Alterations there in Matters of Religion. But it was not so in *France*; where Differences in Religion caused many Wars and Troubles, which drew on several Edicts, sometimes contrary, and sometimes favourable to the Exercise of the Pretended Reformed Religion; as we shall see in the next Article.

Succession of Popes to the End of the Century

Clement VIII.

History of Wars and Treaties of Peace, concerning Religion, &c. Assembly of the Great Men in 1560

History of Wars and Treaties of Peace, concerning Religion, &c.

State of Religion in France under the Reign of Francis II.

History of Wars and Treaties of Peace, concerning Religion, made in France, from the Reign of Francis II. till the Edict of Nantes.

THO' in the Beginning of *Francis II.*'s Reign there were almost every where in *France* a very great Number of People who went into the Innovations of *Luther*, *Zuinglius*, and *Calvin*, yet they were not suffer'd to profess them Publicly: They had no Churches, and were obliged to hold their Meetings in Secret Places.

The King appointed Courts in every Parliament, to try only Cases of this sort; which condemned to the Flames, without Mercy, all those who were convicted to be of the New Religion. They therefore being enquired after, and every where condemned to dye, began to defend themselves, first by their Pens, by spreading of Libels; then by Conspiracies; and at last by open War. The Prince of *Condé* was at the Head of this Party; and *Gaspard de Coligny*

de Châtillon, Admiral of *France*, was as it were the Arm of it.

The Rebellion began with a Conspiracy of *Amboise*, which proved unsuccessful, tho' it produced, as a consequence, very great Troubles in several Provinces of the Kingdom. To pacify which, Queen *Catherine de Medici* summon'd the Great Men of the Kingdom to meet at *Fontainebleau*, upon Aug. 20. 1560. The Admiral presented Petitions to that Assembly, which were Signed by nobody; but he said, he receiv'd them in *Normandy* from great numbers of *Frenchmen*, who implor'd the King's Clemency, and begg'd of him to stop the Searchers against the Reformed, and to allow them Churches, and a free Exercise of their Religion.

A History of what happen'd in Europe relating to Religion.
 Aug. 24. The King issued out an Edict, by which he summoned the States of the Kingdom to meet at the City of Melun upon Dec. 10. and enjoined the Governor to be vigilant in preventing Seditious Meetings, and to stop Prosecutions upon the account of Religion, where there was no other Crime complicated with it: This looked like the beginning of a Toleration; but however, the King intended to ruine them, and some time after commanded the King of Navarre, and the Prince of Condé to be seized, and the latter was obliged to undergo a Trial.

Edict of Toleration of August 24.

Abolition of the Prince of Condé.

Declaration in favour of the Protestants.

Edict concerning Religion, of July 1561.

Edict to cause them to surrender the Churches.

Seditious at Dijon, and Paris.

The Death of Francis II. hindered the execution of the Sentence pass'd upon the Prince of Condé, and procured him his Deliverance. Soon after he was declared to be Innocent, by a solemn Decree of the Parliament of Paris.

The Great Lords and the People in the mean time being thus divided about Religion, it was almost impossible but this division must occasion Troubles and Seditions. There were some at Amiens, Pontoise and Beauvais: the Cardinal de Coligny occasion'd the last, by his celebrating the Lords Supper in his own Chappel, according to the Rites of the Protestants. To appease these Troubles, the Queen sent out a Declaration to all the Governors of Provinces, forbidding all Men for the future to use the injurious Appellations of *Papists* and *Hugonots*, to wound the Liberty and honest Security which every Man ought to enjoy, and to enter by force into Houses, under pretence that Assemblies were held in them, which were forbidden by precedent Edicts. By the same Declaration it was Ordained, that all that had been imprison'd upon the account of Religion, should be set at Liberty; and that those who had gone out of the Kingdom ever since Francis I. time, might return, and re-enter upon their Estates, provided they lived like Catholics, and gave no Offence to any body. The Parliament of Paris refused to verify this Declaration; however, it was published and executed, and occasion'd the Protestant Meetings to be more numerous and more free.

In July 1561. the King went to the Parliament, and there published an Edict, by the advice of that Body, in which, Preachers were commanded not to use any Seditious Expressions, but to instruct the People with circumspection: That those who should do otherwise, should be punished with Death; that the cognizance of these things should belong to Governors of Provinces, and *Presidial Benches* (d): That no Assembly should be held in publick or private, and that the Sacraments should be administered in no other manner but what is received by the catholick Church: That the cognizance of Heresy should be remitted to the Ecclesiastical judges, by whom, if the accused be delivered up to the Secular Arm, that is to say, to the Royal Judges, they shall not impose a higher Punishment upon him than Banishment.

The number of Protestants daily encreasing, they continued, notwithstanding the Edict, to hold publick Meetings, and even to seize upon Churches. This gave occasion to the Edict of Nov. 3. by which they were required, upon pain of Death, to give up the Churches which they had seized upon.

These publick Meetings of the Hugonots raised in several places the Fury of the Catholics against them. At Dijon the Hugonots being attacked by the Populace in their Meeting-place, defended themselves, and repulsed those that attacked them; and when the Rabble saw they could do nothing to their Persons, they broke open their Houses, and plunder'd some of them. At Paris, when the Protestants were met in the place which was appointed for them in the *Fauxbourg St. Marcel*, call'd the *Patriarch*, near *St. Medards*, upon Dec. 27. 1561. as John Mado the Minister began his Sermon, the Curate, Clerks and People, who were in the Church, set the Bells a Ringing so very loud, that the Protestants could not hear the Sermon, either because it was customary, or because they had a mind to interrupt the Sermon. The Hugonots sent two Men to desire the Curate to cause the Bells to cease; this was refus'd with ill Language, and the Church being shut at the same time, one of those that were sent stay'd there, and when he would have gone out by force, and defended himself with a Knife, was cudgelled to death. The jangling of the Bells was redoubled at the same time. The Reformed being provoked, surrounded the Church, forced the Doors, got in, wounded fifty Persons, took fourteen, and assisted by one *Gabaston Captain of the Watch*, carried them to Prison. Next day they returned Armed, held their Meeting in the same Place; but the Catholics, who were got together, came to the Meeting-house, which they found empty, broke down the Benches and the Minister's Pulpit, set Fire to it, and burnt some neighbour-

ring Houses. They did the same to the Meeting-House which the Hugonots also had in the *Fauxbourg St. Antoine*. The cognizance of this Matter being remitted to the Parliament, the Catholick Prisoners were set at Liberty, and the most Seditious among the Hugonots were clapt up. Those that were found most to be Guilty, were punished with Death; among others, the *Captain of the Watch*, who had countenanc'd and supported the Sedition, instead of stopping and quieting it.

In the mean time, news of Disturbances arriving from all Parts, and the Tumult which had been lately raised in Paris, giving cause of fearing greater Disorders; the King sent all the Deputies of the Court of his Kingdom, whom he had sent for to Paris, to *St. Germain-en-Laye*, and by their Advice published an Edict in Jan. 1562. of which, the principal Articles were, That the Protestants should immediately restore to the Catholics their Churches, Houses, Lands, Tithes, and other Goods, of which they were posselt, which they should suffer them to enjoy quietly: That for the future no Croises or Images should be beaten down, nor should anything be done further, which might prejudice the Publick, upon pain of Death: That the Protestants should not be allow'd to hold their Meetings, to have Sermons, publick Prayers, or Administration of Sacraments, secretly or publickly in Cities: That however, till those differences in Religion could be determined by a general Council, or till the King should otherwise appoint; those that should go to their Sermons out of the Cities, should not be molested, and the Magistrates should be required to provide for their Security, and to punish those that should disturb them: That no Man should be sought after upon the account of his Religion: That the *Pretended Reformed* should not hold any Synods, Conferences or Colloquies, without calling in the Magistrate: That they should create no new Officers, nor make any Laws or Statutes; but that they might make Resolutions concerning what related to Doctrine; that they should raise no Levies or contributions of Money; that they should observe the Civil Laws, even those relating to Festivals, and the Degrees of Consanguinity. The Parliament of Paris verify'd this Edict with abundance of Difficulty, and that too, not till they had been thrice commanded; and with this Clause, *That they did it to obey the King, considering the Condition of the Times, and till his Majesty should otherwise determine.*

March 1. The Duke of Guise being upon his way from Joinville back to Paris, happen'd in the Town of Vassy in Champagne to be near a Meeting-house, where his People picked a Quarrel with the Hugonots, who were met together singing Psalms, and fell upon them. The Duke of Guise, who ran in to appease the Tumult, was struck with a stone upon the Face, which enraged his Followers to that degree, that they killed near sixty, and wounded near two hundred.

This Accident was a sort of Signal for War; for the Hugonots not obtaining Justice for that Massacre, and the Duke of Guise having made himself Matter of Paris, and of the King's Person, the Prince of Condé, who was solicited by Letters from the Queen Regent her self, who was, as it were, a Prisoner, took up Arms, and a Civil War was kindled all over the Kingdom. The Battel of Dreux, in which the Prince of Condé was taken Prisoner by the Catholics, and the Constable of Montmorency by the Hugonots, seem'd to have entirely routed the Protestant Party: But the Death of the Duke of Guise, who was assassinated before Orleans by Poltrot, raised their Courage again, and made way for a Treaty of Peace; by which the Lords, who had *High Justice*, were allow'd to have publick Meetings upon their own Estates; others, who had *Mean and Low Justice*, were allowed private ones in their own Houses, for themselves only, and their Family, provided they did not live in Towns, or Parishes which hold of any other Justice besides the King's. This Treaty gave them likewise a Place to preach in, in Places where there was a (Court of) Justice, from which Appeals were reliable in Parliament, as also in Cities where they had enjoy'd that Liberty till the 15th. of March last. This Treaty was signed March 18. 1563. and it kept the Kingdom quiet for some time.

But the hatred which the Catholics and Hugonots bore to each other, and the aversion which the King had to these last, having raised new Quarrels, and put Suspicions into the mind of the Hugonot Party; the War began again in 1567. The Rendezvous of the Hugonot Troops was appointed at *Rosoy in Brie*, Sept. 28. Their Design was to surprize the Court, which was then at *Montceaux*, and to seize upon the King's Person; but he luckily made his escape to Paris. The Rebels besieged that City; but they were defeated at the Battel of *St. Denis*, in which the

[*Presidial Benches* are Courts immediately inferior to Parliaments, from which, Appeals lye to Parliaments, as they do al-

so to them from inferior Courts.]

Consta-

Constable was slain. Then they seized upon several Cities ; and having receiv'd Succours out of Germany, they laid Siege to Chartres. During that Siege, a Peace was negotiated and concluded at Long-Jumeau. The Edict was verif'd March 2. 1568. It entirely confirm'd and restor'd that which had been granted to them five Years before ; revoking and annulling all Exceptions, Declarations and Interpretations, which had been made to the contrary.

This Peace was of no long Continuance: The Hugonots took up Arms again towards the End of the Year. The King, to pacifie them, published an Edict ; by which he took all the Hugonots in his Kingdom under his Protection, as his other Subjects ; and promised to do them all manner of Justice for the Injuries which had been done them, provided they would live peaceably in their Houses.

This Edict having no Effect, the King sent another quite contrary ; forbidding the Exercise of any other Religion besides the Catholick, and commanding all the Ministers to go out of the Kingdom within fifteen Days. By a third Edict, all the Hugonots who had publick Offices and Employments, were enjoined to deliver them up into the King's Hands.

The Hugonots lost the Prince of Condé, their Head, at the Battle of Jarnac ; and their best Troops at that of Montcontour : Yet they did not hereby lose their Courage, but they got an Edict more favourable than the former ones : For besides what had been granted to them already, they were allow'd to preach in the Suburbs of two Cities in every Province, which should be set out for them. They were admitted into Universities, Schools, Lazaretto's, Hospitals, and into all publick Employments under the King, or the Great Lords, or in Cities. They had a Liberty to refuse Judges to such a Number ; and were allow'd a General Evocation of all their Causes from the Parliament of Tholouse to the *Requestes de l'Hôtel*. (c) Lastly, for their Security, the Towns of Rochelle, Montauban, Cognac, and la Charité, were deliver'd to them for two Years. This Treaty was made Aug. 15. 1570.

This Peace was violated in a most cruel manner by the Massacre upon St. Bartholomew's Day, 1572, which carried off a great Part of the Hugonots in France, and provoked those that were left more than ever. In 1574, they took up Arms again ; and Charles IX. who fell upon them with very considerable Forces, would in all probability have entirely ruined them, and abolish'd the Exercise of the Protestant Religion in that Kingdom, if he had not been snatch'd away by Death May 30. 1574.

The Wars continued under King Henry III. till upon the Duke of Alençon's throwing himself at the Head of the Hugonot Party, he concluded a Peace upon May 9. 1576. The Edict was drawn up upon the 15th, and verif'd in Parliament. It was much more advantageous to the Hugonots than the former ones : For it allow'd them the free exercise of their Religion (which thenceforward was to be call'd, *The Pretended Reformed Religion*) throughout the Kingdom, without any Exception to Places and Times : It gave them Burying-places to inter their Dead, particularly that of the *Trinity* at Paris ; and a Faculty to be admitted into all Employments, Colleges, Hospitals, and Lazaretto's : It forbade any Enquiry after Married Priests and Monks : It detested the late Massacres : It revoked the Sentences and Decrees that had been pass'd against those of the reformed Religion : It gave them two *Divided Chambers* (f) in every Parliament ; and allow'd them for Cautionary Towns, *Beaucaire* and *Aiguemortes* in *Languedoc*, *Perigueux* and *le Mas-de-Verdun* in *Guienne*, *Niort* and *Serre* in *Dauphiné*, *Iffoire* in *Auvergne*, and *Sene-liz-grand* *Taur* in *Provence*.

This advantageous Peace granted to the Hugonots brought forth the *League*. Several particular Leagues had been made already, during the Wars against the Hugonots : All these particular Leagues were now united into one, which became General ; by which, an infinite Number of zealous Catholics associated themselves under the Pretence of defending the Catholick Religion, and they took an Oath to maintain and preserve this *Union* among themselves. This League caus'd the States at Blois in 1576, to revoke the Edict of pacification, and to forbid the Exercise of the *Pretended Reformed Religion*. The War began again soon after, but it was of no long continuance. There was a fifth Treaty of Pacification concluded at Bergerac in Sept. 1577. between the King of Navarre and the Duke of Montpensier. The Edict was drawn up at Poitiers in September, and verif'd in Parliament in the beginning of October. It was different from the last, in that it restrain'd the Exercise of the Protestant Religion to the former Limits ; forbidding it within ten Leagues of Paris, as also in the Marquisate of Saluzzes, and the County of Venaissien ; changing Montpellier for Beaucaire, and not giving Iffoire up again.

When the time of surrendering their Cautionary Towns was come, the Hugonots began the War again in 1580: But

that also, was soon at an End, by explaining of certain Articles of the precedent Peace which was confirmed. Thus the Peace was re-established, and observed for five Years.

The Duke of Guise and the Leaguers disturbed this Tranquility in 1585, by beginning Acts of Hostility again ; and in July, in the same Year, they got an Edict against the Protestants ; and that they might put it in execution, they got the Command of Armies, of several Towns, and Money. So that the Armies of the Leaguers and the Hugonots were to be seen every where in the Field. After the Barricades of Paris, the Leaguers oblig'd the King to give them an Edict, which had the specious Title of a *Remission* : By which renewing his Coronation Oath, he swore to extirpate all Schisms and Heresies, without ever making any Peace or Edict in favour of the Hugonots ; commanded his Subjects, or what quality soever, to swear the same Thing ; and, in case of his Death, not to acknowledge any Prince that was a Heretick, or Heretically inclined, to be their King ; and declared those that should refuse to sign that Edict which was made in July 1588, sworn to by all the Lords of the Court, and guilty of high Treason. The King swore also at the States of Blois to observe that Edict : But being jealous of the Power of the Duke of Guise, he commanded him to be murder'd at Blois, as every Body knows.

The Death of that Prince occasion'd a Rising in most of the Cities of France. The Duke of Mayenne put himself at the Head of the Leaguers. Henry III. being driven by the *League* was forced to join with Henry of Bourbon, King of Navarre, the lawful Heir of the Crown, and call him in to his Assistance. These two Kings were at the Siege of Paris ; when the former was killed by James Clement a Dominican, August 3. 1589.

King Henry IV. was a Protestant when he was owned to be King, nay a Relapse, having abjured his Heresie after the Parisian Massacre : However he assured the Convention of the Catholick Nobility, that he would consent to be instructed within six Months : That in the mean time he would every where restore the Exercise of the Catholick Religion, but without forbidding the *Pretended Reformed* : That he would likewise restore the Ecclesiasticks to their Possessions : That he would not put those that profess'd the Protestant Religion into Offices or Employments : And that he would allow the Nobility to send a Deputation to the Pope, to acquaint him with, and get his Approbation of the Reasons which oblig'd them to continue firm to his Majesty's Service.

The Duke Mayenne and the Leaguers declared openly, that they would not acknowledge Henry IV. for their King, even though he should be converted ; and proclaim'd the [Old] Cardinal of Bourbon King, by the Name of Charles X. Pope Sixtus V. sent Cardinal Cajetan Legate into France, with Instructions to take care that France might be provided with a Godly, Catholick King, and agreeable to the French : And in order thereunto, to go to Paris, where the Embassadors of Spain and Savoy would be, and to hear all the Propositions which should be made him, to shew himself entirely disinterested ; not to enter into any Engagements on either side, nay even to hearken to the King of Navarre if there were any Hopes of his Reconciliation to the Church, with the Honour and dignity of the holy See. After these Orders were given, his Holiness receiv'd Letters from the Duke of Piney, who was deputed from the *Royalist Nobility* to the Pope, which assured him, that the Duke was upon the Road on his Way to Rome, to acquaint him with the good Intentions of that Body. When the Legate arrived at Lyons, Nov. 9. he caus'd the Breve of his Legation to be published, and then went to Paris : There he receiv'd the Compliments of the Magistrates and of all the Companies of the City ; and presented his Bull to the Parliament, verif'd it without any Modification. When the Parliament of Tours saw it, and knew that it was directed to the King's Enemies, they commanded that he should not be owned as Legate ; and the Parliament of Paris on the contrary annulled their Decree.

The King on his part desired a Conference that he might be instructed ; and his Proposition appeared reasonable to those who had no concern in this great Affair besides that of Religion : But the Faction of the Leaguers got some Doctors that stay'd at Paris, who were zealous Abettors of the League, to condemn this Proposition, That it was lawful to come to an Accommodation with the Bearnois, [Henry IV.] and to acknowledge him, provided he became a Catholick. At the same time the Legate wrote a Circular Letter, of March 1. 1590, to all the Bishops ; forbidding them to appear at any Meeting upon that Question ; and after that, took a new Oath of the Provost of the Merchants, and the Officers of the City of Paris, to persist in the Holy Union (g) till the last Moment of their Lives.

Catholicks ; before which, all Causes relating to Hugonots were to be tryed.]

[g] That was the particular Title which the Leaguers gave to their Holy League and Covenant.]

[(c) *Requestes de l'Hôtel*, are a Court held at Paris, whose Business is to take and examine all Petitions, and report them to the King's Council.]

[(f) *Chambres Mi-parties*, were Courts in the Parliaments of France, composed half of Protestants and half of Roman

The Death of the Old Cardinal of Bourbon exceedingly perplexed the Leaguers: However, rather than hearken to Henry IV's Propositions, who openly declared, that he intended to be instructed; they made their Leaguer-Doctors, at the Head of whom was the famous Boucber, declare, That Henry of Bourbon could not, upon the account of Scandal, and the Danger of a Relapse, be admitted to the Crown, even tho' he should obtain an entire Absolution.

Sixtus V. was grown more favourable to the King's Cause; (b) but he died Aug. 27. 1590. His Successor, Urban VII who had the same Opinions, lived but eleven Days after his Election; and was succeeded by Gregory XIV. who being a Milanese by Birth, declared openly for the League; and let out two Monitions: One to the Prelates and Ecclesiasticks; the other to the Nobility, Magistrates, and People. By the first, He excommunicated them, if within fifteen Days they did not retire from the Obedience, out of the Territories and out of the Retinue of Henry of Bourbon; and within fifteen Days more deprive them of their Benefices. By the second, He exhorted them to do the same; otherwise he should turn his Paternal Goodness into the Severity of a Judge. In both he declared Henry of Bourbon Excommunicated, Relapsed, and, as such, fallen from all his Kingdoms and Dominions.

When Gregory XIV. was dead, Innocent IX. succeeded him: He sat but a little while upon the holy Chair. His Successor, Clement VIII. was not less devoted to the League than his Predecessors. In the Beginning of the Year 1593. his Legate publish'd a Declaration, by which he exhorted the French to choose a King, who in Name and Reality should be most Christian and truly Catholick, and who might be strong enough to support Religion and the State.

In the Conference held at Sarene, between the Catholick Royalists and the Leaguers, the Archbishop of Bourges proposed to the latter, to join with the others in instructing and converting the King: But the Leaguers declared, That they neither could receive nor have any Communication with him, till he was truly converted, and till the Pope had received him into the Bosom of the Church. Thereupon the King resolved to be converted, and demanded a Conference for his Instruction; to which he invited the most learned Men of his own Party, and of the Leaguers, for the 15th of July. Several Prelates, some Doctors, and thirty Parisian Parish-Priests, among whom was Rene Benoit of St. Eustace, met at St. Denis, July 22. Next Day the King came thither, enter'd into a Conference with them, and soon agreed upon every Thing. The sole Difficulty was to know, Whether any other Bishop but the Pope had a Power to give him Absolution. The Cardinal of Bourbon maintained the Negative; but the contrary pass'd, notwithstanding his Remonstrances. The Form of the Confession of Faith was drawn up, and next Sunday was appointed for the Ceremony. The Ceremony was perform'd in St. Denis's Church, between the Hands of the Archbishop of Bourges, assisted by seven or eight Bishops, before all the great Men of the Court, and a Crowd of People that ran thither from Paris. After that, a Truce was concluded, July 30. for three Months, between the King and the Duke of Mayenne; and both agreed to send to the Pope to obtain Absolution. But the Duke of Mayenne enter'd into new Engagements with the Spaniards, never to depart from the Holy Union; and not to treat with the King or Navarre, whatsoever Acts of Catholicity he might do.

The King had sent the Duke of Nevers to Rome, to get his Absolution from the Pope. His Holiness would not suffer that Duke to make his Entry into Rome any otherwise than as an Italian Prince, and not as an Ambassador; and that too upon Condition, that he should stay there but two Days; that he should receive no Visits, nor pay any to the Cardinals. That Prince however so order'd the Matter, that this Term was lengthned; and he had Audience of the Pope twice, but without procuring the King any Satisfaction.

At last Henry IV. made his Entry into Paris, in March 1594. and the Parliament, the City-Clergy, and the University, being at Liberty, acknowledged him for their lawful King, promised to pay him true Allegiance, and renounced all contrary Leagues.

In the mean time the Pope, having Notice that the Proposal of erecting a Patriarchate was revived in France, wrote to the Cardinal de Gondy, to renew the Negotiation; sent Possevin the Jesuite to Lyons, to confer with the Constable and with Bellievre; and commanded the Cardinals, Protectors of the Carthusian, Capuchin, and Minims, to command those Orders to name the King in their Prayers. The King also, on his part, sent James Davy du Perron to Rome, and joined to him Arnould d'Offat, who was there already; and gave them Power to ask and receive Absolution for his Majesty. These two Commissioners being admitted to an Audience of the Pope, and throwing themselves at his Holiness's Feet,

presented him a Petition in the King's Name; by which, his Majesty desir'd to be restor'd into the Bosom of the Church; assuring his Holiness moreover, That the King's Conversion was sincere; and that he had given certain Proofs of it since his Abjuration, by Marks of Piety and Religion, and by practising Penance, and by frequenting the Sacraments: And they remonstrated, That his Re-union was the only way to restore Peace in the Kingdom. to let the King's Conscience at Ease, and to preserve the Honour and Glory of the Church of Rome.

The Pope having receiv'd this Petition in July 1595. thought that he ought not to decide a Matter of that Importance without the Advice of the Cardinals. Accordingly he called a Consistory, Aug. 2. at which all the Cardinals that were at Rome assisted, except Inigo d'Avolos. The Matter having been there debated, two Thirds gave their Votes to absolve the King; but there were many different Opinions concerning the Conditions: Some were for having it done by the Tribunal of Inquisition: Others proposed several Conditions, which were prejudicial to the King's Authority and the Good of the Kingdom; such as, To lay his Crown at the Pope's Feet, and receive it again at his Hand: To be re-anointed King: To revoke all the Edicts made in favour of Hugonots: To suffer the Exercise of no Religion in his Kingdom but the Catholick: To make no Alliances with Protestant Princes: To stipulate, That if he relapsed into Heresie, he should lose all Right of reigning. All these Articles were rejected by the King's Commissioners. As to the Terms of Absolution, the Pope was for making that given by the Archbishop of Bourges void, for using a Wand, and declaring that he would restore the King to his Royal Estate. D'Offat and du Perron opposed the last Article resolutely; but du Perron was so weak, as to give up the second. They agreed also upon the following Conditions: That the Commissioners should in the King's Name make a new Profession of Faith, and a new Abjuration of Heresie: That he should settle the Orthodox Religion in Bourne: That he should take the young Prince of Conde out of the Hands of the Hereticks within a Year, and cause him to be instructed in the Catholick Faith: That he should cause the Council of Trent to be publish'd in France, and the Concordates made with the Popes to be observed: That he should not bestow any Benefices upon Persons suspected of Heresie: That he should say over his Beads, and repeat the Litanies of the Virgin upon certain Days: That he should be at Mass upon Sundays and Holidays: That he should build a Monastery in every Province of his Kingdom: That he should confess and communicate four times every Year. The Deliberations and Negotiations upon this Affair lasted till the Beginning of September: At last, when all was agreed, the 17th Day of that Month was appointed for that Ceremony.

The Pope prepared himself by a Solemn and Mournful Procession which he made the Eve before to Sancta Maria Maggiore; next Day he appeared upon a Scaffold erected in the Court before St. Peter's of which Church the Doors were shut. He began with declaring the Absolution that had been given in France null. Du Perron and d'Offat kneeled at his Feet. The Pope struck their Shoulders with a Wand which he held in his Hand, one Stroke at the End of every Verse of the fiftieth Psalm, which he repeated. Afterwards they promis'd, that the King should put the Articles in Execution which they had agreed upon; and in his Name they made the same Profession of Faith which Bishops make to get their Bulls; promising; at last; that Obedience to St. Peter's Successor, which the most Christian Kings, his Predecessors, had always paid. At last, the Absolution was pronounced in these Words; By the Authority of Almighty God, and of the Apostles St. Peter and St. Paul, and our own, we absolve King Henry from the Excommunication under which he lay bound upon the Account of Heresie, in the Name of the Father, and of the Son, and of the Holy Ghost. Then he added, we open to King Henry the Gates of the Church Militant: It is his Business, if he lives as a Catholick ought, and accomplishes what he has promised to us, to open to himself the Gates of the Church Triumphant: At which Instant the Doors of the Church were open'd.

Soon after, Peace and Tranquility were entirely restored throughout the Kingdom. But forasmuch as the Hugonots, to support themselves, held frequent Meetings, and importuned the King with several Demands; his Majesty considering the Posture in which his Kingdom then was, and the Necessity he was in to maintain and confirm Peace among his Subjects; out of a fear on one side, that the discontented Hugonots should rise; and on the other side, that the Leaguers might take an Occasion to be uneasy, and so revive their Factions; in 1598 he published the Famous Edict of Nantes,

[(b) Sixtus V. who was a very wise Man, did not desire that any one Temporal Prince should become Universal Monarch. He knew the Leaguers could not prevail, but by the Assistance of Philip II. King of Spain; who then would become too powerful to be check'd by a Pope, especially if he were made King of France; which was what they laboured

after. That led Pope Sixtus V. to wish well to Henry IV. and to labour after his Reconciliation to the See of Rome. So in our Days, Innocent XI. shew'd a Coldness to James II. King of England, because he was wholly in the French Interest; which was as formidable to that Pope, as the Power of Spain was to Sixtus V.]

containing ninety two Articles; which are much the same with those granted by former Edicts, only more advantageous; since it open'd to them a Door to Offices in the Judicature, and in the Treasury. Under the Protection of that Edict, the Protestants in France lived in Peace, and exercised their Religion in several Places of the Kingdom, till the King that now reigns revoked it, and banished Heresie entirely out of the Kingdom.

Tho' the Number of Calvinists was very great in France, yet it had this Advantage, that very few Bishops gave into these Novelties; and none of those that embrac'd them stay'd afterwards in his Bishoprick. The first that declared was James Spifame, Bishop of Nevers, who retired to Geneva in 1559: There he turn'd Minister, and was sent to Orleans with the Prince of Condé, who deputed him to go to the Diet of Franckfort in 1561. afterwards he returned to Geneva and was there condemned to die in 1565. but the most considerable for his Quality and Rank, that declared for the Protestants, was Odet de Coligni, de Châtillon, Cardinal and Bishop of Beauvais. This Man kept his Bishoprick for some time, tho' he openly declared for the new Opinions, and tho' he had publicly married Isabel de Hauteville, Dame de Lore: But during the Wars he retir'd into England, where he was employ'd in several Negotiations, even from Queen Katherine de Medicis, with Queen Elizabeth; and he died there in 1571. The Pope deposted him by a Sentence pass'd at Rome in 1563.

The same Year five French Prelates were accused of Heresie at Rome; namely, John de St. Romain, Archbishop of Aix; John de Montluc Bishop of Valence; John Antony Ca-

raccioli, Son to the Prince of Melfi, Bishop of Troyes; John Antony Barbancon, Ancient Bishop of Pamiers; and Charles A. History Guillard, Bishop of Chartres. To these also were added, of what John de St. Gelais, Bishop of Uzes; Claude Regin, Bishop of Oleron, Lewis d'Albret, Bishop of Lescar; and Francis de Noailles, Bishop of Acqs. The Pope sent out Letters Monitory against them, to cite them to Rome: But the King's Religion, Ambassador oppos'd that Proceeding, as contrary to the Laws of the Kingdom and the Liberties of the Gallican Church; and by that Means stopped the Proceedings that were made against them. Of all these, there were but Three that were found guilty; namely the Archbishop of Aix, who laid down his Archbishoprick in favour of Lorenzo Strozzi, and died in the belief of the Protestants at Avignon, the Bishop of Troyes, who parted also with his Bishoprick in 1561; and died also an Heretick; and the Bishop of Uzes who married an Abbess, but repented of it towards his Latter End, and dy'd a Catholick in the Monastery of St. Maixant. The Bishop of Valence made himself odious, by declaiming vehemently against the irregular Manners of the Clergy; and by desiring a Reformation of Ecclesiastical Discipline: But he never profess'd Calvinism; nor separated from the Catholick Church. He was accused of Heresie by the Dean of his own Chapter, but he was cleared by an Act of Council Octob. 14. 1560. He died in the Bosom of the Church, like a Catholick Bishop, at Tholouse, in 1579. We know nothing more against the other Bishops that were accused; that can bring them under any Suspicion of Heresie; and they all died in the Bosom of the Catholick Church.

C H A P. III.

Revolution of Religion in the Low-Countries, from their Revolt, to the Establishment of the Republick of Holland.

How great soever the Troubles were which the new Religion caused in France, yet at last, when those Troubles were over, all the Provinces of that Kingdom were reunited under the same Dominion under which they were before. It was not the same in the Low Countries, where Heresie snatched from the Church and the Kingdom of Spain one Part of the Provinces of that Country; whose Inhabitants shook off the Yoke of the Spanish Monarchy, that they might live as a Commonwealth, and profess Calvinism. The Commerce which the Cities of that Country had with the Hansi-Towns, with the English, and with the Protestants of Germany; the Garisons of the German Lutheran Soldiers, and the Heretical Books which had been spread among them; had drawn several Persons into the Lutheran Opinions. Calvin also sent Ministers into that Country, who sow'd his Doctrine there: So that there were great Numbers of Lutherans and Calvinists among them. This at first caused some Differences between them, but they soon united again; and the Calvinists became much the more numerous, and drew the rest after them: Charles V. to stop the Progress of these Sects in the Low Countries, publish'd an Edict in April 1550. to forbid, upon Pain of Death, any Heretical Books censured by the University of Louvain, and the Secret Meetings of the Followers of the New Religion. Mary Queen of Hungary, Charles the fifth's Sister, Governess of the Netherlands, foreseeing the Mischiefs that would arise thereupon, if that Edict was rigorously executed, caused it to be suspended for some Time.

Philip II. after having consider'd of the Methods of extirpating Heresie in the Low-Countries, found out Three: I. To erect new Archbishopricks and Bishopricks. II. To settle the Inquisition. III. To introduce the Decrees of the Council of Trent. He began with the first, which he look'd upon to be the most tolerable. Till that Time there had been no Metropolitane See in the Netherlands; and there were but Four Bishops Suffragans to the Archbishop of Rheims; the Bishops of Cambray, Paris, Terouane, and Tournay. Philip II. got Pope Paul IV. to erect three Archbishopricks; at Cambray, Mechlin, and Utrecht. The Bishoprick of Terouane was divided into Three; Boulogne, St. Omer, and Ipres: And Namur, Bruges, Ghent, Ruremonde, Bois-le-Duc, Deventer, Haerlem, Groningen, Leeuwarden, and Middleburgh, were erected into Bishopricks. The Bull of Erection was dispatched upon May 19. 1558; and the Motive of this Alteration, set forth in the Bull, was, that the Provinces of the Low-Countries were surrounded with Schismatics, and consequently in Danger of being corrupted by Heresie, if Remedies were not used, by appointing new Guardians to the Faithful. The richest Abbies in the Low-Countries were united to these Bishopricks, and they were filled with Spanish Prelates, who were devoted to the Council; which exceedingly discontented the Flemings.

When this Erection was over, Philip II. left Flanders, and went into Spain; leaving the Government of the Low-Countries to Margaret his Natural Sister, Wife to Octavio

Duke of Parma; appointing Cardinal Granvelle to be her Counsellor; and leaving 3000 Spaniards in Garison in several Places. At his Arrival in Spain, he caused several Lutherans to be burnt in his own Presence at Valladolid and Seville; who had been seized and condemned by the Inquisition. Tho' the Inquisition was not then settled in the Low-Countries, yet Orders Cardinal Granvelle likewise caused those that were suspected which he to be of the New Religion to be very severely punished; and left there. order'd the Places, in which it was believ'd they held their Meetings, to be burnt. He intended likewise to set up the Inquisition at Antwerp; and not being able to effect it, because of the Sedition which it rais'd, he caused the Council of Trent to be published.

The Protestants saw now, that their Extirpation was resolved upon; so they drew up a Confession of Faith, to be presented to King Philip, and required Cardinal Granvelle to Philip's retire; who, being afraid of his Life, withdrew to Besincon. Orders, for All things thus tending towards a General Insurrection, if the fear of King's Orders were executed, the Governess suspended them an Insurrection for some Time; and Count Egmont was sent into Spain, to represent the State of the Low-Countries to the King and his Council. He did it with Freedom; but the Council of Spain took the severer side: And the King wrote to the Governess; to cause his Orders to be rigorously executed; to cause the Decrees of the Council of Trent to be established; and to set up the Inquisition. The States of Barbant opposed it; and the Governess; being apprehensive of an Insurrection, was forced to publish a Declaration, revoking the Inquisition, and not to publish the Council of Trent, without some Instructions which were agreeable to the Privileges of the Country.

The New Bishops, in order to execute the Decrees of the Council of Trent, held Provincial Councils; in which it was decreed, that the Curates should make exact Lists of the Families in their Parishes: That the New Inhabitants should bring Testimonials from their Curates, that they were Roman Catholics; and in what Place, and at what Time they were married; that besides that, the Curate should let down their Names and Habitations: That they should keep a Register of the Children that should be Baptized, and of their Godfathers and Godmothers: That no Schoolmaster should be allow'd, till they were assured of his Faith; and that they should prescribe what Books he should read to the Youth: That the Poor that receiv'd Alms should be also watched; that they should be obliged to confess and communicate; and that if they neglected to do so, their Alms should be withdrawn.

The People hereupon, of whom a good Part were prepossess'd with the New Doctrine, rose in several Places, and began to threaten the Nobility if they did not declare for them. They met at St. Gertrudenberg, formed a League there for Liberty of Conscience, and for their Country; and drew up a Petition, wherein they desired, that they might not be burden'd with the Inquisition: That they might not be obliged to receive the Council of Trent: That the New Bishopricks might be suppress'd: And that the Lower Germany might enjoy the same Liberty of Conscience which had been granted

to the Upper: In Default whereof, they protested they would not be responsible for any Disorders which might happen in the Country.

The Governess was startled at this Association. Count Bar-le-mont told her, they were only *Guenx*, (Beggars.) When the Associators heard of this, they took that Word for a Name for their Party, and a Wallet for their Mark; upon which two Hands were clasped together with this Devise, *Servants to the King, even to the Wallet*. Counts *Brederode*, *Nassaw*, *Cuylenbourg*, and *de Bergues*; with the Gentlemen who signed the Petition, went in this Dress to present it to the Governess upon April 6. 1566. The Governess told them, it did not depend upon her; they might send a Deputation to *Madrid*, and she would employ all the Credit she had in their Behalf, provided they did nothing in the mean time that might prejudice the ancient Religion and the publick Peace.

Montmorency Baron of *Montigny*, and the Count *de Bergues*, were sent into *Spain*. All the Mitigation they could obtain, was, that those who shew'd any Signs of Discontent, should not be burn'd, but only hang'd: And that those who should change their Religion, should be only banish'd. This Regulation was propos'd to the States, receiv'd by those of *Arras*, *Holland*, and *Namur*; and published in *Flanders* and *Brabant*, without calling in the States of *Holland*, *Zealand*, and *Friesland*.

Some time after, a Report was spread, that the Catholick King was to go into *Flanders* with a powerful Army. The Protestants made no Question but it was designed against them; and so they declared openly. Then they caused their Religion to be publicly preached in all the Provinces; they came armed to their Places of Worship; and concluded a League with the Protestants of *Germany*. There was no City nor Town, in which there were not Protestants enough to form a numerous Congregation. Afterwards, being desirous to get Authority for what they had done, they presented a Petition to the Council for Leave to hold their Meetings. Upon their not receiving a favourable Answer, they took up Arms, plunder'd Churches, broke down Images, overturn'd

Altars, and committed Violences in all Parts; so that the Governess was obliged at last to allow them to hold their Meetings in Places where they had been held till that Day, August 23. 1568; upon Condition that they should lay down their Arms, and that this Permission should last only till the King should order otherwise with the Consent of their Estates.

This Peace did not last long; for the Protestants being informed, that the Council of *Spain* had resolved upon their Ruin, began the War. The Duke of *Alva*, who was sent into that Country with full Power, repress'd the Rebels with force of Arms, and with cruel Executions; but that Usage did not extinguish the Revolt, but begat an irreconcilable Hatred on both sides. In 1572, the Prince of *Orange* seized upon *Holland* and *Zealand*, and laid the Foundations of a Commonwealth. In 1573, the Duke of *Alva* was recall'd, and was succeeded by *Requesens*, who gained a Battle in 1574; but upon the States seizing upon the Government after his Death, the King of *Spain* sent Don *John of Austria* in his Place. Upon his Arrival, the War broke out again in the the *Low-Countries*. The States then called in the Arch-Duke *Matthias*, and offered him the Government. The Prince of *Orange* was Master of *Friesland*, *Holland*, *Zealand*, and *Utrecht*. Prince *Casimir* had an Army in the *Netherlands* in Queen *Elizabeth's* Name, and the Duke of *Angou* also had one there as an Ally and a Protector. These being retired, and Don *John of Austria* recalled, the Duke of *Parma*, to whom the Command of the *Spanish* Army was then given, defeated *Casimir's* Troops, and reduced to their Obedience the Provinces of *Artois* and *Hainault*; and the Cities of *Lille*, *Doway* and *Orcbies*. But the Provinces of *Holland*, *Zealand*, *Friesland*, *Utrecht*, *Guelderland* and *Amsterdam*, united more strenghtly together in 1581, from whence they were called, *The united Provinces*. Some time after, the Duke of *Angou* was declared Duke of *Brabant*; but his Power was of no long continuance; whereas the *United Provinces* maintained their Government, and settled a sort of a Commonwealth, in which the publick Religion is Calvinistic.

C H A P. IV.

Affairs of Religion in Germany, after the Year 1560, till the End of the Century.

Different Sects among the Protestants of Germany.

After the Pacification of *Passaw*, the Catholicks and the Lutherans lived peaceable together in *Germany*; but there were very sharp Disputes between the Divines of the *Augsbourg Confession*, and the *Sacramentarians*. *Frederick* Elector Palatine, who was gain'd by *Beza*, having left the Doctrine of the *Augsbourg Confession* to embrace that of *Calvin*, caused *Lutheranism* to be changed into *Calvinism* in the Palatinate. The Duke of *Wurtemberg* supported *Brenzins* and *Schmidelinus*, the Heads of the *Ubiquitarians*. *Augustus* Elector of *Saxony*, Son of *Maurice*, and his Dominions, kept to the Terms of the *Augsbourg Confession*, as moderated by *Melanchthon*; and they were followed by the Universities of *Wittenberg*, *Leipzig* and *Alteimburg*. *John Frederick* of *Sax-Altembourg*, Son of *Frederick* Elector of *Saxony*, supported the rigid Lutherans; the Universities of *Jena*, *Thuringen*, (i) *Brunswic*, *Halt* and *Mansfeld*, joined with them, and almost all their Divines maintained the *Unquity*, having *Westphalus* and *Brenzins*, the Chiefs of the *Ubiquitarians* at their Head. The Divines of all sides wrote sharply one against another, and their Persecutions were mutual. The Elector Palatine, and the Duke of *Wurtemberg* who longed to pacify these Troubles, summoned their Divines to a Conference in the Abby of *Maulbrun* upon April 10. 1564; at which those two Princes were present. The Palatine brought with him, *Peter Bouquin*, *Gaspar Olevianus*, *Zacharias Ursinus*, *Michael Dillerus* and *Petrus Datherius*. The Duke of *Wurtemberg* had *Jacobus Andreas*, *Valentinus Vannius*, *Joannes Brenzius*, *Theodororus Schenepfius*, and *Balthazar Bidenbachius*. *Osiander* was the Secretary of the Conference; It lasted six Days, during which time they held six Sessions, and broke off without coming to any Determination.

Conference at Maulbrun.

The same Year the Emperor *Ferdinand* died July 25. and *Maximilian II.* King of the *Romans*, succeeded him.

In 1556, the *Confession of Augsborg* was received at *Magdebourg* and *Rotembourg*. The Canons of *Halberstadt* chose *Henry Julius*, Grandson to *Henry Duke of Brunswic*, an Infant of two Years of Age, to be their Bishop, who afterwards embraced the Doctrine of the Protestants. The same

(i) *Thuringen* must be misprinted. I suppose he means *Tubing*, which was in an University in the Duke of *Wurtemberg's*

Year appeared the *Confession of the Helvetic Churches*, in which the Real and Corporeal Manducation of the Body of *Jesus Christ* in the *Eucharist* is clearly rejected, and the sole Spiritual Manducation by Faith asserted. This *Confession of Faith* was received and approved by all the Protestant Churches in *Switzerland*; excepting that of *Basle*. The Protestant Churches in *Flanders*, also drew up another like it, which was afterwards confirmed in 1579, and printed in *Latin* in 1581.

In 1566, also, there was a General Diet held at *Augsbourg*, in which Matters of Religion were debated. *Commendone*, the Pope's Nuncio there, desired the Publication of the Council of *Trent*; and that he might create Dissentions among the Protestant Princes, he propos'd, that the Elector Palatine, who profess'd a Doctrine different from that of the *Confession of Augsborg*, might not be comprehended in the Treaty of Peace. Some Princes seconded *Commendone's* Motion, and desired to have notice given to the Elector Palatine, that he should either abdicate his Dominions, and so yield them up to his eldest Son, who was a Lutheran, or expell the Calvinist Ministers. But the Elector of *Saxony* would not join with these Princes, and it was carried by a Plurality of Voices, that the Elector Palatine should not be excluded out of the Treaty of Pacification.

The States of *Austria*, which met in *November*, desired Liberty of the Emperor to follow the *Confession of Augsborg*; He refused that; only granted leave to those that would profess it, to retire and sell their Estates.

In 1567, when the Landgrave of *Hesse* was dead, the Protestant Princes met again; and when they despair'd to make the Divines of different Parties agree, they impos'd Silence upon both sides, and forbade them to write.

In 1568, there was a Conference at *Altembourg* between the Elector of *Saxony's* and the Duke of *Saxe-Altembourg's* Divines, upon the Points in Dispute between the rigid and moderate Lutherans. It lasted very long: The Divines there disputed with much sharpness, and separated very much enraged against one another.

Dominions. *Thuringia* is the Name of a Province in *Saxony*, not of a Town.

In October, 1571, there was a Synod of Lutherans held at *A History Dresden*, in which a *Confession of Faith*, concerning the Incarnation and the Eucharist, was drawn up against the Doctrine of the Ubiquitarians. There 'tis said, 'I hat Jesus Christ is present really in a quickening substantial manner in the Eucharist, and that he presents to us his real Body offer'd up on the Cross, and his real Blood shed for us with the Bread and Wine; and that he thereby testifies that he adopts us, makes us his Members, purifies us by his Blood, gives to us the forgiveness of our Sins, and is willing to dwell really and effectually within us.' The *Wittenburg Divines* adopted this *Confession of Faith*; which was opposed by the Disciples of *Flaccius*, *Illyricus* and *Brentius*, who accused the others of being *Sacramentarians*.

Upon their Complaints, the Elector of Saxony called fifteen Divines together at *Torgau*, who drew up a new *Confession*; in which the Real Presence of the Body and Blood of Jesus Christ in the Eucharist is express, and the Doctrine of the Sacramentarians rejected and condemned in very sharp Terms. The Divines of *Wittenburg*, were commanded to sign it, and those that refused were imprisoned; so that this Resolution at *Torgau* only increased the Divisions among the Lutherans. The Elector of Saxony being desirous to pacify them, called another Assembly of Divines at *Litchenberg*, in which, twelve Divines proposed Articles of Agreement between those that profess'd the *Augsburg Confession*. The first was, to exclude the Calvinists. The second, to forget all past Disputes. The third, to suppress *Melanchthon's Body of Divinity*, the *Wittenburg Catechism*, the *Wittenburg Divines Questions and Answers*, and the *Concord of Dresden*. The fourth, to call Divines of both Sides to confer together about explaining the *Confession of Augsburg*. In this Assembly however, the Ubiquity of the Humane Nature of Jesus Christ was rejected, and this also divided the rigid Lutherans into two Parties.

It was principally to reconcile them, that the Elector of Saxony called a new Assembly at *Torgau* in 1576. in which there were Divines from all the States of Germany, which profess'd the *Augsburg Confession*, with an Exclusion of the *Zuinglians* and *Calvinists*. *Schmidelinus*, *Chemnitius*, *Selneccerus*, *Chytraeus*, *Musculus* and *Comerus*, were the principal Men in that Assembly. They laid down for the Rule of their Notions, the *Confession of Augsburg*, the *Apology*, the *Articles of Smalcald*, *Luther's large and lesser Catechism*, and their new *Form of Concord*, rejecting *Melanchthon's Places*, and some other Books.

This *Form of Concord*, was sent to *Lewis Elector Palatine*, Successor to his Father *Frederick*, to his Brothers, and to the Landgrave of *Hesse*, the Son of him who labour'd so much to reconcile the Lutherans and the *Zuinglians*: But these Princes rejected that *Form of Concord* by the Advice of their Divines, as did also the Dukes of *Holstein* and *Brunswick*, and they sent the Censures of their Divines to the Elector of Saxony. Upon these Remarks it was, that *Schmidelinus*, *Musculus*, *Chytraeus*, *Chemnitius*, and *Selneccerus* reformed the *Form of Concord of Torgau*; and drew up one at *Berghen*, in which they declared that the Body and Blood of Jesus Christ are truly and substantially present, and distributed in the *Supper* with the Bread and Wine, and are received by the Wicked as well as by the Good; rejecting the Opinion of the *Sacramentarians*, as well of those whom they call the *grosser ones*, who openly profess to believe, that there is nothing in the *Supper* besides Bread and Wine which are there distributed; as of the more refined and subtil ones, who profess to believe the Real Presence of the Body and Blood of Jesus Christ in the *Supper*, but Spiritually, and by Faith. The Doctrine of the Ubiquity of the Humane Nature of Jesus Christ, is there afterwards explained and taught thus; that the Humane Nature being exalted, after his Resurrection, upon our blessed Saviour's putting off the *Form of a Servant*, that he might be clothed again with that of God; he is present every where, not only as God, but also as Man; not indeed in a Terrestrial manner, but because the Virtue, with which God fills the whole World, is really communicated to the Humanity of Jesus Christ; upon which account he can be really and truly present in the *Supper*, which no Person else can possibly be. Then they enlarge much upon the *Communication of Idioms*. This *Form* was drawn up May 12. 1577. The Elector of Saxony sent it to the Protestant Princes and States of Germany, that it might be examined and approved by their Divines. The *Hessians*, those of the Dutchy of *Deux-Ponts*, of *Anhalt* and *Magdebourg*, disapproved the *Form of Brèghen*, which the Elector of Saxony approved.

John Casimir, Count *Palatine*, thought, if a Synod could be assembled, in which there should be Protestant Divines out of all Countries where there were any, that that would be a proper way to oppose the Attempts of the Ubiquitarians, and to put an end to those Differences. He wrote accordingly to the Queen of England, to the Protestant Churches of France, Poland, Hungary, Bohemia, Switzerland, and the Low-Countries, that they would all agree upon a *Confession of Faith*, which might be Universally received; in order to establish an Uniformity of Opinions. He proposed the Thing to Sir *Philip Sidney*, the Queen of England's Ambassador, who approved of it, and he wrote concerning it to other Churches

V O L. III.

Accordingly this Synod met at *Frankfort* upon the *Main*, in September, 1577. The Difficulty of drawing up a *Confession of Faith*, in which all Men would join, was soon perceived. Accordingly it was proposed, 1st. To find out means to hinder the Ubiquitarians from condemning all that were not of their Opinion. 2d. To consider whether it were convenient to draw up a *Confession of Faith*, and how it was to be done. 3d. And who were the properest Persons to set about it, and how the *Confession of Faith* that should be drawn up might be sent to, and signed by all the Churches. For the 1st. It was thought advisable to send the Queen of England's Ambassador with one of the Deputies of the Assembly to the Electors of Saxony, Palatine, and Brandenburg, with a very sharp Memorial, to represent to them the Injustice of condemning so many Churches without hearing them. Upon the 2d. It was agreed to be expedient, to draw up a plain, short and solid *Confession of Faith*. For the 3d. *Zacharius Ursinus* was order'd to draw it up; and when it was drawn up, to send it to *Gualtherus* Minister of *Zurich*, and to *Beza* Minister of *Geneva*, and to get it revised by a Divine whom the Queen of England should Name. The Counsellors of Prince *Casimir* undertook to send every where, and to write to all the Churches that were separated from the Roman Communion, to send Deputies to the City of *Frankfort* upon the *Main*, to hold a Meeting there August 15. 1578. and to deliberate there upon what they should judge to be most convenient for the Advantage of the Church.

This *Confession of Faith* was drawn up with a Manifesto to the Electors of the *Confession of Augsburg*, in the Name Queen of England's Ambassador, with a Memorial in the Name of the Assembly, to stop the Condemnation made by the Ubiquitarians. The Landgrave of *Hesse* sent very vehement Letters at the same time to the other Electors upon the same subject; and *Lewis Elector Palatine*, though a Lutheran, acquainted the Electors of Saxony and Brandenburg, with the Things which he found fault withal in the *Confession of Berghen*.

But the Divines, who drew it up, dissuaded the Elector of Saxony from consenting to hold a Synod, and press'd him to of publish and approve of that *Confession*. They commanded ghen also in an Assembly held at *Singerhauzen*, September 8. 1577. proved by that it should be subscribed by Gentlemen, Ministers and Divines. Then *Schmidelinus* and his Crew ran from University to University, and from Church to Church, to require Men to sign it; they made likewise some Alterations, and explained some Passages, to engage those that were most averse to sign it the more easily.

March 23. 1578. The Elector of Saxony and the Landgrave of *Hesse* met at *Lagensalzen*, to find out ways and means of framing this *Confession*, so as that it might be signed by every Body. Their Divines could not agree upon all the Articles, so a more numerous Assembly of Divines was summoned to *Smalcald*. A Conference also was held at *Strasbourg* with the Prince of *Anhalt's* Divines, but to no purpose. The Landgrave of *Hesse* and his Brothers, the Duke of *Deux-Ponts*, *Casimir* Prince *Palatine* and his Brothers, all but the Elector, the four Dukes of *Pomerania*, the Dukes of *Prussia*, the Prince of *Anhalt*, the Duke of *Mecklenburg*, the Duke of *Saxe-Lawenbourg*, the Count of *Hanover*, the Princes of *Nassau*, and the Cities of *Magdebourg*, *Nuremberg*, *Spires*, *Worms*, *Frankfort*, *Strasbourg*, *Bremen* and *Dantzick*, refused to sign and approve this Agreement. The Elector *Palatine*, signed it; but it was after they had promised him, they would make some Alterations in it. On the other side, the King of *Denmark* and the Dukes of *Holstein*, absolutely refused to have it signed in their Dominions. The Duke of *Brunswick* repented that he signed it. At last, this *Confession* was printed in 1580. and published by the Order of the Electors and Princes that approved it: But then it raised infinite numbers of Debates among the Divines of each Party, who wrote innumerable Books of both Sides in defence of their own Opinions.

Whilst the Lutherans were thus divided, the Catholics *Truchses* had like to have lost the Electorate of *Cologne*. *Gebehard Archbishop Truchses*, Archbishop of that City, fell in Love with *Agnes of Colode Mansfield*; to marry whom he quitted the Roman Religion, turns on, and framed a Religion part Lutheran and part Calvinist. Now though it was agreed by the Treaty of Peace, that if an Archbishop or other Prelate left his old Religion, he should be deprived of his Benefice, and the Chapter should choose another in his Place; yet *Truchses*, supported by the Protestant Princes, would have kept his Archbishoprick. Pope *Gregory XIII.* failed not to cite him, and to depose him by a Sentence, pass'd April 1. 1583. but that Deposition would have have signified little, if Prince *Ernest* of *Bavaria* had not been chosen in his Place, who was strong enough to dispossess the Archbishop by force of Arms.

About the same time, the Lutherans of *Wittenburg* and *Thuringen* being desirous to get the *Greeks* to declare for their Opinions, drew unwelcome Answers upon themselves. In the Year 1559. they tried to surprize the *Greeks*, by sending a Copy of the *Augsburg Confession* translated into Greek, to *Constantinople*, to *Joseph* Patriarch of that See, by the Deacon *Demetrius*, whom he had sent to *Wittenburg*. *Melanchthon* sent a Greek Letter with it, to invite them to join with

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the Protestants. The *Greeks* making no Answer to it, *Crisostomus* and *Jacobus Andreas* wrote to the Patriarch *Jeremias* in 1574, and sent him another Copy of the Augsburg Confession translated into Greek; setting forth in the Preface, that they held the Faith of the seven first Councils. The Patriarch *Jeremias* replied to every Article of the Augsburg Confession, disapproving those Points in which the Lutherans departed from the Belief of the Church of *Rome*. The Lutherans rejoined, and *Jeremias* answered their Rejoinder, persisting in the same Opinions: 'Since, says he, you receive only some of the Sacraments, and those too erroneously, and reject the rest as Traditions, which are not only not contained in the Scriptures, but contrary thereunto, and this by corrupting the Texts of the old and new Testament; since you pretend that the Divine *John Chrysostom*, who approved of Christism, suffered himself to be carried away with the Stream; and also whilst you reject the Fathers, you still challenge to your selves the Title of Divines; since you believe Invocation of Saints to be vain and frivolous, and despise their Images, Holy Relicks, and that Adoration which is paid to them, taking these Errors from the Jews: Since you take away that Confession of Sins which we make to one another, and the Monastical Life which approaches to that of Angels; we declare to you, that the Words of Scripture, which contain these Truths, have not been interpreted by such Divines as you are; and that you ought not to forsake the Sentiments of these Divines, and prefer your own to them. And then to free himself from their Importunities, he concludes his Answer in this manner; 'We desire you to give your selves no farther Trouble, and not to write or send to us any of your Papers any more upon these Subjects: You treat these great Lights of the Church, these great Divines, too coarsely; you seem with your Mouths to honour them, but in Truth you reject them; and you would make their Divine Discourses, which are our Arms by which we can confute your Notions, useless to us. Thus you will cause us of a Pain. Follow your own

way therefore, and write no more to us concerning Matters of Faith; but only keep up a friendly Correspondence with us, if you please.

In 1586. the Duke of *Wurtemberg* and the Count de *Montbeliard* procured a Conference at *Montbeliard*, between *Schmidelinus* and *Beza*. They treated there concerning the Communication of Idioms, between the two Natures of Jesus Christ, and the Real Presence and Predestination. After having disputed seven Days without being able to agree, they retired without owning each other as Brethren.

This Spirit always remained between the rigid Lutherans who held the Real Presence, and the moderate ones who came near the Opinions of the Calvinists. There are no Injuries, no Invectives, no Persecutions, which the former did not exercise against the latter. They set up a sort of Inquisition against them, and they required their Superintendents (for so they call those that exercise Episcopal Functions among them) to examine Ministers and Divines in their Visitations, upon the Articles controverted between them; to demand Confessions of Faith; and to deprive those that were not of their Opinion, of their Employments and Dignities, this Inquisition was chiefly exercised in *Saxony*, after Elector *Christian*, Frederick's Son's Death, who had been favourable to the other side; for upon that Prince's Death, his Son being under Age, *Frederick of Saxe-Weymer*, the administrator of his Dominions, restored rigid Lutheranism, and brought back the Ubiquitarians in Triumph, who drove the Calvinists and their Adherents out of *Saxony*, Calvinism however continued in the Palatinate, and got footing in the Landgrave of *Hesse's* Territories, in the Dutchy of *Manover*, and in some other Free Cities. The Calvinists would have seized also upon *Murpourg* and *Aix*; (m) but they were driven out: The Form of Agreement was received at *Strasbourg* towards the end of the Century; but in general, Lutheranism has continued to be the Ruling Religion in *Germany*, and pure Calvinism has been introduced no where but in the Palatinate.

A History of what happened in Europe relating to Religion. Conference at Montbeliard.

Schism between the Protestants of Germany.

(m) I suppose he means Aix-la-Chapelle.

CHAP. V.

Establishment of Lutheranism and Calvinism in Hungary Transylvania, and Poland. Religion of the Northern Kingdoms. Liberty of Conscience granted to the *Vaudois*. Calvinists dispersed in the Kingdom of Naples.

Establishment of Lutheranism &c.

Lutheranism got footing in *Hungary*, during the Wars between *Ferdinand* the Emperor and *John Sepusio* for that Kingdom. The Lutherans and the Hussites, who were in the Emperor's Armies, introduced the Errors which they had imbibed; particularly in 1540. when *Lazarus Simenda*, went thither with his Troops, and took several Towns, into which he put every where Lutheran Preachers, and drove out the Catholics; who were forced to go into the Turkish Territories, where they lived quietly, and exercised their Religion with Freedom. *Michael Scurius*, *Melanchton's* Disciple, and some others of his Sect, coming thither, drew over great Numbers of *Hungarians* to their Religion. The Troubles of that Kingdom, the Desolation of the Churches which were spoiled of their Goods, and deprived in several Places of Bishops and Pastors, with the Negligence and Ignorance of those that were left, facilitated the Progress of Heresy in that Kingdom. The Calvinists also got in in 1562, and made themselves Masters of *Waradin* in 1580, settling themselves in the Lower Hungary, as the Lutherans had done in the Upper.

Change of Religion in Transylvania.

Transylvania was infected, not only with the Errors of the Lutherans and Calvinists, but also of the *Socinians*, as we shall say hereafter, during the Reign of *John Sigismund*, by *George Blandra* a *Piemontese*, who debauched *Petronit*, Minister to the King, and Queen *Isabella*, his Mother, and instilled into that Prince the Opinions of the Innovators. Liberty of Conscience, or rather of holding and teaching all manner of Opinions relating to Religion, was soon received and authorized there, by a Publick Edict published at *Troda*. *Solyman* commanded the Queen to banish the Sectaries out of *Transylvania*. Pursuant to that Order, she published an Edict, by which all the Innovators were banished out of her Territories, and the Exercise of no Religion was allowed besides the Roman Catholic, but this Edict was not put in execution. King *John* and his Ministers, who favoured the new Sectaries, tolerated them, and soon after *Petronit* introduced the Lutherans and Calvinists into Catholic Churches. But these Lutherans, Sacramentarians and Unitarians, who were dispersed over *Hungary* and *Transylvania*, continually quarrelled about their Opinions, and mutually condemned one another; for which Reason King *John* wrote, Sept. 21. 1561. to the Divines of *Wittemberg* and *Leipsick*,

to know what Side they ought to follow. These Divines condemned the Articles proposed by the *Sacramentarians*; who, for all that, still continued to exercise their Religion in *Transylvania* and *Hungary*.

After King *John* was dead, who resigned his Kingdom to *Maximilian*, *Stephen Battori*, who was made King by the Lords of the Country, contented himself with the Title of Prince. He was chosen King of *Poland* 1572. and left the Government of *Transylvania* to *Christopher Battori* his Brother, who was succeeded by *Sigismund*. These two Princes were Catholics, well affected to the Catholic Religion, and desirous of restoring it and driving out of Heresy; but it had taken too deep Root there, and was so universally spread that it was impossible to drive it out: and though by the Decree of *Trado* in the Year 1558, by that of *Alba Julia* in the Year 1559, and by that of *Culmar* in 1560. it was decreed, that the Catholic and Lutheran Religions should be the only Religions tolerated in *Transylvania*; yet by the following Decrees in the Year 1563, 1566, and 1571, a free Toleration of their Religion was allowed to Calvinists and Sectaries.

Heresy could not get into *Poland* till after *Luther's* Death, through King *Sigismund's* Care; who published a Decree, by which, all that wandered from the ancient Religion were accounted guilty of High Treason, Traytors to their Country, and degraded from their Nobility. But *Sigismund Augustus*, who succeeded him in 1548, not having the same Zeal for the Preservation of the Catholic Religion, suffered Lutheranism to insinuate it self by little and little into his Kingdom, both by the means of the young Lords who went to *Wittemberg* and *Leipsick* to study, and also by some School-masters who taught the Doctrine of *Luther* in that Country it self. The Bishops complained to the Diets and to the King to no purpose; in a small time several Lutheran Churches were formed in *Poland*. The Calvinists sent likewise their Ministers; and *John a Lasco* a Pole, who was come back out of *England*, established Calvinism in several Places. Out of these sprang the *Socinians*, of whom we shall speak in the next Chapter. But their Kings were always Catholics, and so the Catholic Religion was the only authorized Religion in that Kingdom; though there were several Churches in it of Lutherans, Calvinists, and *Socinians*.

Heresy introduced in Poland.

the

A History of what happened in Europe relating to Religion.
Synod of Sandomir.
 The *Lutherans* and *Calvinists*, who at first could not endure one another in these Kingdoms, made an Agreement in a Synod held at *Sandomir* in 1570. in which they owned, That neither of them taught any thing contrary to the Word of God, and to Orthodox Truth, and promised that they would unite to defend one another against Papists and Sectaries. They explained themselves about the Eucharist in general Terms; declaring, 'That they believ'd that Mystery was composed of two things, one terrestrial, the other celestial; and that it was not a bare empty Sign, but that it gave, and presented to the Faithful by Faith, the Thing which it signified; so that the substantial Presence of Jesus Christ is not only signified, but the Body and Blood of Jesus Christ are represented, as distributed and given to those that receive the Eucharist. They left one another at Liberty to retain their accustomed Ceremonies: And lastly, They engaged to live at Peace and Unity together. This Agreement was confirmed in the Synod of *Posen*, held the same Year, and in those of *Cracow* in 1573. of *Petricow* in 1578. and of *Breslaw* in 1583.

Lutheranism kept up in Sweden and Denmark.
 In *Sweden*, *Erec*, Son and Successor of *Gustavus*, maintained *Lutheranism*. His Brother, *John* Duke of *Finland*, who deprived him of his Dominions, and took Possession of them himself, was a Catholic in his Heart, and had a Design of reconciling himself to the Pope: He sent *La Gardie* his Minister to *Rome* for that Design, to negotiate that Accommodation upon certain Conditions; but the great Men of the Kingdom opposed it; and *La Gardie* returned from *Rome*, without doing any thing. He brought back with him only some Priests, who were dispersed over the Kingdom to comfort the secret Catholics; but the Clergy, the Nobility, and the common People, adhered to *Lutheranism*, without ever receiving the Sacramentarians.

Denmark also continued steady in the same Religion, and when *John a Lase*, a Pole, went thither with some Sacramentarians, who were driven out of *England* in *Queen Mary's* time, and desired leave of the King to settle there, the *Lutherans* remonstrated to his Majesty, that he ought not to suffer it; which engaged him to put forth an Edict to banish the Sacramentarians, *Anabaptists* and *Unitarians*, for ever out of his Dominions.

A History of what happened in Europe relating to Religion.
 Part of the *Vandois*, who had been driven out of *France* retired into *Piedmont*, into the Valleys of *Montcenis*, *Lucern*, *Angrogne*, *Perouse* and *St. Martin*. Though the Council of *Turin* forbade them to exercise their Religion, yet they lived pretty quietly till after the Peace of *Château-Cambresis*, when *Philibert Emmanuel*, Duke of *Savoy*, recovered his Dominions. That Prince, at the Solicitation of the Pope, resolved to force his Subjects to return to the Communion of the Church of *Rome*: In 1561. he sent *Thomas Jacomellus*, a Dominican Friar, in the Quality of Inquisitor into that Country, and sent Forces along with him. He proceeded against those miserable Creatures, and caused many of them to be destroy'd with Fire and Sword.

War and Peace between the Duke of Savoy and the Vandois.
 Hereupon, at first they tried Supplications, and sent their Confession of Faith to the Duke of *Savoy*, with Petitions to obtain liberty of Living according to their old Custom: Afterwards they took up Arms to defend themselves against the Violences which were offered them. The Duke of *Savoy* sent Troops which plunder'd and burnt their Villages, and made a very cruel War upon them; the *Vandois* defended themselves. At last, after many Combats, in which the *Vandois* had very often the Advantage, the Duke despairing to reduce them by force of Arms, because of their inaccessible Retreats, granted them a general Amnesty, allowed them Liberty of Conscience for the future, assigned them Places to hold their Meetings in, suffered those that were banished upon the account of Religion to come home, and re-enter upon their Estates; only reserving to himself a Power of driving out such Ministers as he should suspect; in which case the *Vandois* should have leave to choose others.

Calvinists punished; and dispersed in the Kingdom of Naples.
 The *Spaniards* were more happy in their Oppositions to the Progress of Calvinism in the Kingdom of *Naples*. Between two and three thousand Calvinists were got together at *Montalto* near *Cosenza* in *Calabria*, there to exercise their Religion under two Ministers that had been sent them from *Geneva*. The Viceroy of *Naples* sent some Troops thither, who surrounded and took them. Those that would abjure Calvinism, were pardon'd; the others were drown'd or hang'd, or sent to the Gallies: *Paschal*, one of their Ministers, was reserved for the Fire, and some time after burnt at *Rome*.

CHAP. VI.

Original, Establishment, and Progress of Socinianism in Poland, Transylvania and Moravia. Of Socinus, and the chief Heads of that Sect.

Original of Socinianism in Italy.
Socinianism began about the Year 1546. in *Italy*, in the Territories of *Venice*, where some bold and free Thinkers held some secret Assemblies, in which they began to call in Question the Mysteries of the Trinity and the Incarnation; and to affirm, that there is but one Person in the Godhead; that Jesus Christ is not God, the Creator of the World, but Man, born of a Virgin, by the Virtue of the Holy Ghost, who had no Existence before Jesus Christ was born: And that the Holy Ghost is not a Person, but barely the Virtue of God. There were about forty of this Cabal; among whom were *Lelius Socinus*, the Abbot *Bucali*, *Julius Trevisanus*, *Valentinus Gentilis*, and *Paulus Alciatus*. Their Secret being discover'd, they were forced, for fear of being thrown into the Inquisition, and suffering Death, to run away. Some retired into *Greece*, thinking they could be safe no where but in the *Turkish* Territories: The Abbot *Bucali* was one of these, who died at *Damascus*. Some were taken and condemned to Death, and others retired into *Hungary* and *Poland*.

Lelius Socinus.
Lelius Socinus was one of these last. He was of *Sienna*, Son of *Marianus Socinus* a famous Lawyer, born in 1525. Tho' he was designed for the Profession of the Law, yet he understood *Greek* and *Hebrew*, and would concern himself about Religion. In 1547. he left his Country, and spent four Years in travelling into *France*, *England*, the *Low Countries*, *Germany*, and *Poland*, and at last set up his Rest at *Zurich*. In his Travels, he discover'd and instilled his Errors into several Persons, particularly in *Poland* and *Moravia*, where he had several Disciples. He communicated them also among his Relations in Writing. His Family being infected, was disturbed; his Brother *Camillus* was imprison'd, and the rest fled: His Nephew *Faustus Socinus*, the Son of *Alexander*, was one of these: He retired to *Lyons*, from thence he went to *Zurich*, after his Uncle's Death, which happened in 1562. to receive what was left him, and to preserve his Papers.

Michael Servetus.
 Some time before, *Michael Servetus*, or *Reves*, a *Spaniard*, attempted also to oppose the Doctrine of the Trinity. That Man went to live at *Lyons*, and published some Writings against the Trinity in 1531. After that, he unfortunately went

to *Geneva*, where he disputed with *Calvin*, who got him condemned to be burn'd for his Impieties. That Sentence was executed at *Geneva*, Oct. 27. 1553. He denied that there were three Persons of the Trinity; and taught, That the Word and the Holy Spirit were Attributes of God: And that Jesus Christ was only a Man. *Martinus Cellarius*, known by the Name of *Borhaus* of *Stuttgart*, who died in 1564. taught also the same Doctrine after *Servetus's* Death: *Nicolaus Paruta*, *Johannes Valentinus Gentilis*, *Johannes Paulus Alciatus*, *Georgius Blandrata*, and *Matthæus Gribaldus*, all *Italians*, of *Socinus's* Cabal, and some others of their Disciples, who were afraid of the same Fate with *Servetus*, retired from *Geneva* into *Poland*. *Valentinus Gentilis*, one of these, was imprison'd at *Geneva*; but making his Escape from thence, he ran away first to *Lions*, and from thence went after *Blandrata* and *Alciatus* into *Poland*; from whence being driven, he fled into *Moscow*: Upon his coming back into *Savoy*, he was seized in 1566. carried to *Bern*, and condemned by the Senate there to be beheaded. *Gentilis* did not believe exactly as *Socinus* and *Servetus* did; for he was of *Arrius's* Opinion, That the Word was a created Spirit, distinguished from the Father, that was made Flesh: He held also, that the Holy Ghost was a third created Spirit. *Gribaldus* was also of the same Opinion. *Blandrata* in his latter Years left the *Socinians*, after he had written a great many Books against the Trinity. And *Alciatus*, as some say, if we may believe them, at last turned *Mahometan*.

Bernardinus Ochinus, tho a *Senese*, yet was not, as it has been believed, one of *Socinus's* forty Companions; for he was left *Italy* in 1542. He had been first a *Franciscan*, and was afterwards a *Capuchin*; in which Order he lived after the Year 1534. and consequently was not Founder of that Reformation which was made in 1525. but was chosen General afterwards. He had the Reputation of a holy Monk, and a zealous Preacher. Some say, he was corrupted by *John Valdes* a *Spanish* Lawyer, Royal Secretary at *Naples*, who carried thither the Writings and Doctrine of *Luther*, *Bucer*, and the *Anabaptists*: Be that as it will, he was accused of advancing some Errors in his Sermons; D d d d d d d d 2 was

was summon'd to Rome; went thither; but then reflecting upon the evident Danger to which he expos'd himself, he resolv'd to make his Escape. Passing through Florence, he was confirm'd in his Resolution by Peter Martyr; and he withdrew to Geneva, whither Peter Martyr followed him quickly after: From Geneva he went to Augsburg, whence he went into England, with Peter Martyr in 1547. After King Edward died, in 1553, they left England, and retired to Strasbourg. In 1555, Ochinus was at Basil; and the same Year he was called to Zurich, to be Minister there of an Italian Church, composed of the Refugees of Locarno, who could not obtain Liberty to profess the Protestant Religion in their own Country. He did his Duty in that Post till the Year 1563, when the Magistrates of that City expelled him, for maintaining singular Opinions in his Dialogues, particularly about Polygamy, which he seems to think lawful in some Cases. He would have taken Shelter in Basil, but he was driven away likewise from thence: Then he retired into Poland, whence Cardinal Commendone soon made him withdraw, by the Edict which he procured against foreign Hereticks, who retired thereupon into several Places. Ochinus went into Moravia, in 1564, and died of the Plague there soon afterwarwards, when he was above 76 Years old. He is reckon'd among the Calvinists, who, when they had retired into Poland, spread their Errors concerning the Trinity in that Country. It is certain, that whilst he seem'd to defend the Trinity in his Dialogues, he raises Objections, and answers them in such a manner, as would make a Man believe that he abandon'd the Cause of the Truth: And in the Twentieth Dialogue, he seems to reduce the Divinity of Jesus Christ to the Dignity of Chief Prophet, King, and Priest; born of the Holy Ghost; adopted and sanctified by God.

Franciscus Lysmaninus, by Birth a Conyran, once a Franciscan, Confessor to Queen Bona, King Sigismund's Mother is reckon'd among the Anti-Trinitarians of Poland, tho' he was only a Zuinglian. He first instilled Calvinistick Notions into the King, in his familiar Conversations: Afterwards, upon that Prince's Marriage with Catherine of Austria, he was sent into Italy to buy Books there, and to instruct himself in their Manners and Religion, and went to Venice and Paana. In his Passage through Milan he was seized, and saved himself by shewing the King of Poland's Pass: Thence he went into Switzerland, and retired to Geneva; where he quitted his Frock, and profess'd Zuinglianism. Afterwards he quarrell'd with Calvin, and stayed at Zurich, not daring to return into Poland. He was recalled thither by the Synod of Pinczow, in 1555, and went back, and stayed there, tho' he received Orders from the King to retire. At last, falling mad, he threw himself into a Well, in 1563. It is certain that Lysmaninus opposed Calvin violently, and secretly favoured the Socinians: However he profess'd to oppose their Doctrine; and was a warm Adversary to Francis Stancarus, a Minister of Mantua, who maintained at first, that Jesus Christ was Mediator only as Man: And then going farther, overturned the Trinity of Persons; asserting, that there is but one Person in the Godhead, which has Three Names; and that the Man Jesus Christ was the Mediator between God and Man. But at last, after Lysmaninus had disputed long against Stancarus, he was drawn in by Blandrata, and embraced the Errors of the Arrians; as he declares in a Letter written to Stanislaus Ivan [Karninski] Dec. 10. 1561.

To these declared Enemies of the Trinity in Poland, we ought to join Andreas Fricius Modrevius, a Polish Gentleman, who wrote several Discourses against the Mystery and the Divinity of Jesus Christ: Stanislaus Lutomirski, Secretary to King Sigismund, Superintendent of the Churches of Lesser Poland, designed Archbishop of Gnesna; who prevented, by his separating from the Church, the Condemnation that he deserved: Gregorius Pauli, Petrus Statorius, of Thionville, a Disciple of Beza's: Adamus Pastor, of Heidelberg: And several others, who all deny'd the Trinity of Persons; in the Godhead.

Some others did not absolutely deny a Trinity of Persons, neither teach, that Jesus Christ is barely a Man: But they revived the Ancient Arrianism; and taught, that the Word and the Holy Ghost were created Spirits, of a Nature different from the Father, inferior to him; and that the Word was made Man, or rather had changed Man into its self. Petrus Gonesius, a Pole, was the Head of this Party, and asserted it in a Synod of New Reformers held in 1556.

All these Hereticks communicated at first with the Calvinists, and assembled with them in the same Churches, to pray there together, and to hear the same Sermons. They began with teaching their Doctrine privately; then they proposed it in ambiguous Theses; and at last, when some of them came to be Ministers, they insinuated or taught it openly in their Sermons. But when the zealous Calvinists

Condemnation of Anti-Trinitarians by Calvinists.

[(n) The French runs thus; Stanislaus Farnovius n'estant pas content de ce Decret, fit une Secte à part, qui dura en Pologne jusqu'à sa mort, arrivé en 1614. This is taken out of Sandius's Bibliotheca Anti-Trinitariorum, Art. Farnovius; but transcribed hastily. Sandius's Words are these; Duravit is Farnoviorum catus

found that these Opinions crept in among them, they began to withstand those that taught them. Stancarus had declared himself the most openly; accordingly he was first attacked. Blandrata and Lysmaninus were accused likewise of Arrianism in several Synods; but they were defended by a Synod at Cracow, held in the latter End of the Year 1561, which wrote a Letter to Calvin and Bullinger in their Justification. Blandrata however was forced to draw up a Confession of Faith, which he presented to the Synod of Kiantz, March 10. 1562. It set forth, that the Father, Son, and Holy Ghost, are all Three essentially God; that they are Three different Hypostases: That he acknowledged the Divinity and Eternal Generation of the Son; and that the Holy Ghost is truly and properly the Eternal God, proceeding from the Father and the Son. This Profession of his Faith was a sort of Abjuration of his Errors. It was also read and approved in another Synod held the same Year at Pinczow. It was decreed in that Synod, that Ministers should abstain from Philosophical ways of speaking concerning the Trinity; such as Essence, Generation, Way of Proceeding; and keep wholly to the Terms of the Word of God, and of the Apostles Creed.

Under this Pretence, Gregorius Pauli, Minister at Cracow, in explaining the Creed, taught, That the Father was the only God: That Jesus Christ was barely a Man: And that the Holy Ghost was not a distinct Person from the Father and the Son. Sarnicius, Minister of a Church near Cracow, accused him of Impiety and Blasphemy. They had a Disputation about it before several Ministers and Gentlemen; and at last, the Matter was referred to a Synod held at Pinczow, in which Sarnicius condemned and deposed Gregorius Pauli.

The Arrianism of Petrus Gonesius was rejected in a Synod held in Lithuania, in 1559; in which it was decreed, that the Doctrine of the Ministers, concerning the Trinity, should be examin'd. At last, an Assembly held at Petricow, in 1562, Sarnicius, after a Conference, procured the Anti-Trinitarian Errors to be absolutely rejected; and the Anti-Trinitarians to be turned out of their Ministries, and excommunicated. The Synod held at Cracow, May 14. 1563, confirmed that Resolution.

The Socinian Ministers on the other side being moved by a Letter from Lutomirski, and twenty two other Polish Ministers, met in June, 1563, at a Town called Mordas, in Podlachia, belonging to [Nicholas Radzivil,] Palatine of Vilna, where they made a Decree against those that asserted the Doctrine of the Trinity; and in another Synod held at Wingrow, [a Town in Podlachia,] in 1565, they abolished Infant Baptism.

After this, the Calvinists would never suffer the Anti-Trinitarians to be among them: And they separating thereupon, kept their Assemblies apart, and made a different Society; nor had they any greater or more cruel Adversaries than the Calvinists: They disputed against them in a Assembly held at Petricow in 1565, in which they were silenced; and an Edict was published in the Dyet of Lublin in 1566, by which the Anti-Trinitarians and Anabaptists were commanded to go out of the Territories of the King of Poland within a Month.

The Enemies of the Catholick Doctrine, concerning the Trinity, were not better agreed among themselves: Some, as we have observed already, believ'd with the Arrians, that the Word was a Person existing, and created before the World, who being united to Humanity, became Christ: Others wholly denied the Distinction of the Word. There was a great Conference among them upon this Subject in 1567; and after many Disputes, both continued fixed in their own Opinions; only agreed to live in Peace and Unity together. None but Stanislaus Farnovius a Disciple of Gonesius's, who was not contented with this Decree, founded a Sect apart; which continued in Poland till his Death, which happened in (n) 1614. After which, his Disciples united again with the other Socinians. Erasmus Joannes, who had been formerly Schoolmaster at Antwerp, held the same Opinions also against Faustus Socinus.

Others of them fell into the quite contrary Error; not only affirming that Jesus Christ was a meer Man, but also denying that he ought to be adored and invoked. This Error was maintained by Francis David, a Hungarian Superintendent of the Unitarians in Transilvania; by John Somnerus, a Physician in Misnia; by Christianus Franken, a German, who had formerly been a Jesuite; and by John Paleologus, a Greek, of the Isle of Chios, who said he was descended of the Emperors of that Name. The First was put into Prison by the Order of Christopher Battori, where he died Nov. 15. 1579: The Last was seized upon by the Emperor's Order and carried to where he was burn'd March 22. 1585.

Faustus Socinus, Nephew to Lælius, a zealous Assertor of his Uncle's Notions, opposed the Errors of these Semi-Jews; and that of the Arrians, to follow and establish the Doctrine of his Uncle Lælius; i. e. That there is no Trinity of Persons in

in Polonia aliquamdiu, & ipse Farnovius Anno 1614, adhuc in vivis erat, post ejus obitum plerique ejus sequacium ceteris illis Unitariis, Socino homodoxis, se adjunxerunt. Sandius only says, that Farnovius, was alive in 1614, but that he died that Year.]

A History
of what
happened
in Europe
relating to
Religion.

God; and that the Father alone is God: That the Word and the Holy Spirit are Attributes of the Divinity: That Jesus Christ is a Man, but more excellent than Men and Angels; born of the Virgin by the Operation of the Holy Spirit; designed for a most holy and exalted Ministry; appointed Lord of Heaven and Earth, and Judge of the Living and of the Dead: A Dignity, for which he ought to be called the Son of God, and God; not on account of his Substance, but of his Authority and Ministry; and that for this Reason he ought also to be adored and invoked. He opposed also the Satisfaction of Jesus Christ; deny'd Original Sin; rejected Infant Baptism; admitted the Eucharist only as a Sign; and taught some other Errors. This Socinus was Son of *Alexander Socinus* and *Agnes Petrucci*, Daughter of *Victoria Piccolomini*, and by that means allied to many great Lords in Italy. He was born at *Sienna*, December 5. 1539. Tho', as has been said already, he had imbibed his Uncle's Errors from the Letters which he wrote in Italy, and from his Writings which were found at his Death; yet he was called back again to *Florence*, where he had honourable Employments under the Great Duke. But in 1574. he left that Court, that he might have Liberty to form an entire System of Religion, and to publish it. He stay'd three Years at *Basil*, and studied Divinity there with Care. The first Book that came out under his Name, in which he began to assert his Errors, was a small Tract Of *Jesus Christ the Saviour*. He was called by *Blandrata* into *Transilvania*; and retired, in 1579. into *Poland*, where he joined himself to his Uncle's Disciples, and published several Books in defence of his own Opinions. Be-

ing accused upon that account to the Magistrates, he was forced to leave *Cracow*, and to take Refuge near that City, in the Country House of [*Christophorus Morstinus*,] a Polish Gentleman, [whose Daughter he married.] After he had stay'd three Years with him, he went back to *Cracow*, where he brought several Ministers to be of his Opinion. The People being enraged against him, used him ill in 1598. plundered his House, and took away his Goods and Papers. The Populace also dragged him through the Streets, and he was taken out of their Hands with great Difficulty. That he might be free therefore from these Dangers, he retired to [*Luclawitz*,] a Village about nine Miles from *Cracow*, where he pass'd the remainder of his Days with *Abraham Blonski*, a Polish Gentleman; and died there, March 3. 1604.

His Sect was not extinct in *Poland* upon his Death; it increased there, and strengthen'd it self particularly at *Racow*, where the *Socinians*, had a School and a Press. They had pretended Churches also at *Lublin*, *Cracow*, *Vilna*, *Kiow*, and in several other Places in *Poland*. In 1638. they were driven out of *Racow*; and in 1658. King *Casimir* prohibited their Religion upon pain of Death; and commanded all those that should profess it, to leave the Kingdom in three Years; allowing them only to sell their Estates in that Time: But that Term was reduced to two Years, and they were all driven out of *Poland* 1660. They retired into *Silesia*, into *Prussia*, into *Moravia*, and into *Transilvania*, where there are some remains of them to this Day.

C H A P. VII.

State of Religion in England, Scotland, and Ireland, during the Reigns of Elizabeth Queen of England, and Mary Queen of Scots.

Restoration
of the Pro-
testant Re-
ligion in
England.
Queen Eli-
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vernment of
the Realm
in Spiritu-
als.

QUEEN Elizabeth being discontented at the Manner in which the Pope receiv'd the Civilities which she commanded her Ambassador to pay him, took up a Resolution to restore in England that Religion which was establish'd in Edward VI's Time, and to suppress the publick Exercise of the Catholick Religion. But because the Title of *Head of the Church*, which Henry VIII. and Edward VI. had taken, shock'd not only the Catholics, but some Protestant Divines; she changed that Title, into the Title 'Of Supream Governor of the Kingdom in Ecclesiasticals and Temporals; and caused it to be declared, that no Foreign Prince, Person, or Prelate, had, in Right or Fact, any Jurisdiction, Power, Superiority, Pre-eminence or Authority, Ecclesiastical or Spiritual, in the Kingdom of England; and obliged her Subjects to swear, that they would renounce all Foreign Jurisdctions, and would own no Power, Superiority or Authority, other than her Majesty's.' The Bishops and inferior Clergymen, who refused to take this Oath, were for the first Offence deprived of their Benefices; and if they refused a second Time, were condemned to perpetual Imprisonment. In pursuance of this Declaration, all the Ecclesiastical and Spiritual Jurisdiction, for visiting, reforming and correcting the Clergy, was united in the Crown. The Queen and her Successors had Power given them to nominate Commissioners to exercise this Jurisdiction, to correct Abuses, and to condemn Heresies and Errors. No Convocation could be held, no Canons put in Execution, none could go out of the Kingdom upon the account of Religion, without the Consent and Leave of the Queen: And it was Enacted, that Bishops should be created only by her Authority, and should exercise their Jurisdiction only according to her good Pleasure. This Law was made by the Parliament, which was held in 1559.

Regulation
concerning Re-
ligion, by
Queen Eli-
zabeth.

The Queen hereupon seized upon the Revenues of Churches; appointed (o) Vicars-Generals and Commissioners for Ecclesiastical Affairs; repealed the Laws against Hereticks; allow'd Parliaments to take Cognizance of Heresie; order'd the Exercise of Religion; abolish'd the Manner of celebrating Mass according to the Rites of the Catholick Church; introduced a new *Liturgy* in the vulgar Tongue, according to the Lutheran Way; retain'd several Things in use in the Church, such as the Priestly Vestments, Names of Prelacies and Dignities, the Custom of receiving the Lord's Supper kneeling, Ordinations of Bishops, Priests [and Deacons,] Fasts appointed by Ecclesiastical Authority, Celebration of Festivals, Altars, Use of the Cross, and several other Ceremonies. She was desirous also of retaining Images; but she could not resist the Protestants, who look'd upon them as Idols.

Concerning the real Presence, tho' the Calvinist Opinion prevailed, yet she desired they would explain themselves in general Terms, that might leave the Matter undecided; and not condemn the real Presence which the Lutherans allow. She rejected the Doctrine of Indefectibility of Righteousness, and the Assurance of Predestination. In other Things she kept to what had been practis'd under King Edward. The Bishops that would not take the Oath of Supremacy, nor consent to these Alterations, were deposed; as also the inferior Clergy: Bishopricks and Benefices were given to Lutherans and Calvinists; the Exercise of Religion, as it was regulated by these Acts of Parliament, introduced; and the Usages of the Catholick Church abolished by the Visitors.

The Queen called a Convocation at *London*, in 1562. A Confession of Faith, consisting of thirty nine Articles, was drawn up there. The Books of the *Old Testament*, which are not in the *Jewish Canon*, are rejected. (Art. vi.) as not Canonical. All the Books of the *New Testament* are received as Canonical. (Art. x.) It is acknowledged, that since *Adam's* Fall, Man cannot prepare himself to Faith, nor do any thing well-pleasing to God, without the Assistance of Grace. Justification (Art. xi.) is attributed to Faith alone; tho' it is owned in the next Article, that good Works are pleasing to God, and are the necessary Effects and Consequences of Faith. But for those Works which are done before the Grace of Jesus Christ and the Inspiration of his Holy Spirit, they are declared to be Sins. (Art. xiii.) The Doctrine of Works of Supererogation is rejected, (Art. xiv.) Predestination is explain'd there in very moderate Terms, (in Art. xvii.) where it is observed, that that Doctrine is as dangerous to curious and carnal Minds, which are destitute of the Spirit of God, as it is profitable and full of Comfort to those that are full of true Piety. (Art. xix.) The Church is defined to be a visible Congregation of Men that teach the pure Word of Jesus Christ; and (Art. xx.) it is acknowledged to be a Witness and Keeper of Holy Writ. The Infallibility of General Councils is rejected in the (xxi. Article.) And the Doctrine of the Church of *Rome*, concerning Purgatory, worshipping of Images and Reliques, and Invocation of Saints, is condemned in the xxii. The Necessity of the Vocation of Ministers, by those that have a Power to call them, is laid down in the xxiii. Prayers in the Church, in the vulgar Tongue, are asserted in the xxiv. Sacraments are defined, in the xxv. to be effectual Signs of Grace, and of the Good-will of God, by which he worketh invisibly in us, and quickens and confirms our Faith. It is there declared, that there are but two Sacraments instituted by Jesus Christ; Baptism, and the Lord's Supper: That the five others are not such Sacraments as the Supper and Baptism; but

Articles of
the Convoca-
tion of
London,
in 1562.

[o] What *Du Pin* calls Vicars-General, was the High Commission Court: The Name of Vicar-General, as appointed by the Prince, had been odious ever since *Cromwell's* Management
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of that Office in *Henry VIII's* Time; and was never, for that Reason, taken up afterwards.]

are either false Imitations of the Apostles, or States of Life approved in the Scriptures. *Art. xxvii.* It is said, That Infant-Baptism ought to be preserved in the Church, as agreeable to the Institution of Christ. The Supper is said (*Art. xxviii.*) to be not only a Sign of the Love that Christians ought to have mutually one towards another, but the Sacrament of our Redemption by the Death of Jesus Christ; so that they who receive it worthily, and with Faith, partake of the Body and Blood of Jesus Christ. Transubstantiation however is rejected; and it is declared, That the Body of Jesus Christ is given, received and eaten in the Supper only spiritually by Faith; That this Sacrament was not to be reserved, carried about, lifted up or worshipped, according to the Ordinance of Christ: And (*Art. xxix.*) that impious and wicked Men do not receive the Body of Jesus Christ, tho' they eat the Sacrament of his Body. *Art. xxx.* The Eucharist is commanded to be delivered under both kinds: And (*Art. xxxi.*) it is declared, That there is no other Sacrifice besides that upon the Cross. Bishops, Priests, and Deacons, are allow'd (*Art. xxxii.*) to marry. Private Men that break the [Traditions and] Ceremonies of the Church, which be not repugnant to the Word of God, and be ordained and approved by common Authority, are condemned, (*Art. xxxiv.*) but particular and national Churches are allow'd to change or abolish them. In *Art. xxxv.* the second Book of Homilies, [then compiled,] as also the former, made in King *Edward's* time, are approved. The Book of Consecration of Archbishops and Bishops, and of ordering of Priests and Deacons, made in *Edw. VI's* time, is confirmed in *Art. xxxvi.* and those that have been so consecrated and ordered since [the second Year of] his Reign, are declared to have been lawfully consecrated and order'd. *Art. xxxvii.* The Queen's Majesty is declared to have chief Power over all the States of the Realm, Ecclesiastical and Civil: Only this Power is affirmed not to extend to a Power of preaching the Word, or administering the Sacraments; but to a Right of keeping all Orders of Men, Ecclesiastical and Civil within their Duty; and of punishing the Stubborn and Evil doers. It is declared moreover, That the Pope has no Jurisdiction within the Kingdom of *England*: That Criminals may be punished with Death: And that Christians may, at the Command of the Magistrates, bear Arms, and make War. This Close of the Article is against the Anabaptists and Puritans, as are the two following; in which it is declared, That Goods are not common, and that Oaths are allow'd. These Articles were confirmed [in Convocation, and by Act of Parliament,] afterwards, in 1571.

Persecution of Catholics in England. Tho' the publick Exercise of the Catholick Religion in *England* was destroy'd, yet those that continued to profess it were not yet openly persecuted: But Pope *Pius V.* having, by his Bull of *Feb. 25. 1569.* excommunicated Queen *Elizabeth* and her Adherents, and declared her to have forfeited her Kingdom and her States; absolved her Subjects from their Oath of Fidelity, and even forbid them to obey her: The Queen, in 1571. made new Laws against the Catholics; confiscated the Estates of those who had left the Kingdom for Religion; and declared the Priests, and (*f*) particularly the Jesuits who came into the Kingdom, and those that received them, guilty of High Treason. In 1582. she increased the Penalties against the Catholics; laying heavy Fines upon those that would not go to Church; declaring those that would dissuade the *English* from adhering to the Church of *England*, guilty of High Treason; and doubling the Fines already laid upon those that should sing or say Mass. Pursuant to this Edict, *Campion* the Jesuite, and several Catholics were taken up; great Numbers were condemned to Death upon Pretence of Rebellion, High Treason, or Intelligence with the Court of *Rome*; and others were sent into Banishment. Last of all, the Queen published a Proclamation, in 1591. against the Catholics; in which she increased the Number and Severity of the Penalties enacted against them in precedent Laws. Thus Queen *Elizabeth*, whose Reign was very long, settled and maintain'd that Religion in *England* which is profess'd there still: But tho' it was the Religion chiefly exercised in the Kingdom, and tho' several Calvinists made no Scruple of following it; yet several other rigid Observers of the *Geneva* Discipline, who could bear nothing that had any relation to the Usages of the Catholick Church, held separate Meetings and Conventicles in private Houses, and would not own the Bishops: These were afterwards called Presbyterians, and multiplied very much in that Kingdom. Lastly, the Fanaticism of the Puritans began in Queen *Elizabeth's* Reign: Three Men of this sort [*Hacket, Coppinger, and Arthington,*] appeared, who said, they were Prophets sent from God to reform the Kingdom and Church of *England*. One called himself, A Prophet of Mercy; the other, The Prophet of

Vengeance; and the other said, He represented Jesus Christ. They attempted to preach in publick Places, to declaim against the Government, and against Religion; and to speak against the Ministers, and against the Queen her self, who, they prophesied, should be soon punished, and deprived of her Kingdom. The pretended Christ, [*Hacket*] in token that his Prophecy should come to pass, publicly defaced the Queen's Picture with great Insolence. These Fanaticks were soon seized: The pretended Christ was hanged, *Aug. 7. 1591.* blaspheming, calling upon *Elias*, and using all manner of Imprecations against the Authors of his Punishment. The two others, not being willing to contradict their own Predictions which they had utter'd against the Queen, were put to Death in Prison. (*g*) These three Men were not the only Puritans who were then in *England*; several others that were seized with the like Follies were dispersed in *England, Scotland, and Holland.*

The Protestants in *Scotland* pretended Religion likewise to form a League against the Regent; and their Faction was so powerful, that she was ready to grant them free Exercise of their Religion, *July 2. 1559.* After her Death, Peace was concluded upon those Terms, upon the 8th. of the same Month. (*r*) The Protestant Party soon found themselves to be stronger than the Catholics; and the Parliament, which met before Queen *Mary* came over, refused to restore the Priests to the Churches, from which they had been driven, commanded the Monasteries to be destroy'd, and made an Act for the Clergy to pay a third Part of their Revenues to the Protestant Ministers.

This was the State of Religion in *Scotland*, when Queen *Mary, Francis II's* Widow, landed there in 1561. Queen *Mary* was a Catholic, and wished the Catholics well, but she was not in a Condition to resist the Protestants. The Pope desired to send over *Vincentio Laurus*, Bishop of *Mon-dov*, as Nuncio; but she desired him to defer his Entry into *Scotland*, till those Troubles were ceased. The Barons presented her a Petition, wherein, among other things, they desired that the Service might be performed in *Scottish* in the Churches, and that the Bishops and Curates might be chosen by the People. The Queen would not grant their Petitions, and caused *Knox* and some others to be proceeded against for Sedition. This Prosecution was so far from stopping the Disorder, that it caused a Rising. The Rabble plunder'd and burnt the Churches, pulled down the Monasteries, and reduced the Catholics to the last Extremities. The Queen had married *Henry Darnley* her Kinsman, by whom she had a Son; she desired of the Parliament, that he might be baptized according to the old Custom, and that the Pope's Nuncio might be received in the Kingdom. The Parliament consented to the first, but would not suffer the last. In 1567 *Darnley* was murder'd by the contrivance of *Bothwell*, whom the Queen married afterwards. This caused a general Rising against that Princess, and the Earl of *Murray* caused *James* the VI. to be proclaimed King, and seized upon the Government; after he had obliged the Queen to renounce the Kingdom, and put her under Confinement, from which she made her Escape, revoked her Abdication, got some Troops together, and endeavoured to re-ascend her Throne: But her Army was routed, and she being forsaken of all the World, thought to meet with shelter in *England*, whither she was no sooner come, but she was clap'd up. Queen *Elizabeth* amused her long with hopes of her Deliverance and Re-establishment, but at last she beheaded her, after eighteen Years Imprisonment, upon *Feb. 18. 1587.* The Earl of *Murray*, in the mean time, completed the Ruin of the Catholick Religion in *Scotland*, and settled Calvinism. In 1570. he was killed by *James Hamilton*. After his Death, the Earl of *Lennox* took the Government, which he enjoy'd not long; for *Edinburgh* Castle rose against him, and at fourteen Months end he was killed by the Faction of the *Hamiltons*; The Earl of *Morton* succeeded him, [after the short Regency of the Earl of *Marr*:] At last *James VI.* who was bred up in the Protestant Religion, being come to the Age of Government, and having got rid of those who kept him as it were a Prisoner under Queen *Elizabeth's* Power, he maintained the Religion newly established in his States.

Calvinism was the National Religion in *Scotland*: The Hierarchy and its Ceremonies were abolished, till King *James VI.* succeeded Queen *Elizabeth* in the Crown of *England*, which was by that means united to *Scotland*, upon her Death, *April 14. 1603.* when he obliged the *Scots* to receive the Ceremonies of the Church of *England*, and gave them Bishops against the Will of the Ministers of that Kingdom. There remained however very many Calvinists still, and a considerable number of Catholics.

[*p*] This was not done by Name till the Parliament of the 27th of the Queen.]

[*g*] *Coppinger*, whom *Hacket* called the Prophet of Mercy, dy'd in *Bridewell*, where 'tis said he starved himself with wilful Abstinence. *Arthington* was pardon'd, and printed a full Account of the whole Matter, and of his own Repentance. But *Du Pin* does not do well to call these Enthusiasts, Puritans; for the Presbyterians of that time went under that Name, all

indeed who declared themselves to be dissatisfied with the Doctrine and Discipline of the Church of *England*. *Cartwright, Traverser, Chaderton, Snape*, nay *Brown* himself, the Father of the Brownists, from whom come our modern Independents, would have been heartily ashamed to have been ranked with these blasphemous Wretches.]

[*r*] The Queen Regent died *June 10. 1560.* and the peace was concluded after her Death.]

A History of what happened in Europe relating to Religion. State of Religion in Ireland.

The *Irish* were very zealous for their own Religion; so that the new Opinions could not, without great difficulty, get into that Kingdom; and it was long before they made any considerable Progresses in it. The civil Wars in that Country hindered Heresie from having so free an Access into those Places which would not obey Queen *Elizabeth*: She sent Troops thither to subdue the Rebels, and Ministers whom she made Bishops, that they might settle Protestantism there;

A History of what happened in Europe relating to Religion.

the compass'd both in some Provinces: The Province of *Ulster* was the most constant in maintaining its Liberty, and in preserving the Catholick Religion; but in the other Provinces which were under Queen *Elizabeth's* Dominion, Heresie made great Progresses, and the Catholick Religion was entirely banished in some Places. This was the State of Religion in the *British* Islands, at the end of the sixteenth Century.

C H A P. VIII.

Provincial Councils held from the Year 1550. to the End of the Century.

Council of Narbone in 1551.

Council of Narbone in 1551.

NO Bishop assisted at this Provincial Council; it was composed only of *Alexander Zerbinas* great Vicar to *Francis Pisani* Cardinal, Archbishop of *Narbone*, and other Priests, and Vicars to the Bishops of the Province. It was held at *Narbone* from December 10. to December 20. 1551. Its Decrees were very well drawn up, and are sixty six in Number.

After a Preface concerning the usefulness of Synodical Regulations, the first Article contains a Confession of Faith, wherein they profess to acknowledge one Holy Catholick and Apostolick Church, (of which Jesus Christ is the Head) under the Command and Authority of our Holy Father the Pope, which all Christians are obliged to obey; and to receive all that has been decided or given by Tradition by the Church of *Rome*, and by the Holy Councils, lawfully assembled: All new Heresies are in general rejected; the seven Sacraments, Purgatory, and the usefulness of Prayer for the Dead, Usages of the Church of *Rome* relating to Sacramental Confession, and the Celebration of the Mass, are there owned: The Invocation and Intercession of Saints, Feasts, Fasts commanded by the Church, Abstinences, Pilgrimages, Vows, the use of Images, and other Practices of the Church, are approved. Lastly, they declare, that they entirely receive the Articles of the Faculty of Divinity of *Paris*, March 10. 1542.

The eight following Regulations, relate to the Quality, which those ought to have who are to go into Orders. The xth, xith, and xiith. to the *Letters Dimissory*, and *Letters of Exeat*. They decree, that no Bishop shall give Letters Dimissory, till he is assured, that the Person to whom they are granted is worthy and capable.

The following Articles to the xxivth, relate to the Lives, Manners, Habits and Conduct of the Clerks. They are advised to have large Tonfures, to wear long and modest Habits; they are forbidden Taverns, Games of Chance, Dancing, carrying of Arms, Trade, Cohabitation with strange Women, and keeping their Bastard-Children in their own Houses. The xxivth, and xxvth, recommend to secular Judges to remit to Ecclesiasticks the Judgment of Clerks; and to Ecclesiastick Judges, not to take Rogues under their Protection.

The twenty sixth, renews the ancient Canons concerning the Qualifications of those that are preferred to Benefices; and to prevent Pluralities, it requires those that are Pluralists, to exhibit within a Month the Dispensations which they have obtained from *Rome* to hold them.

The twenty seventh, establishes the necessity of Residence in Parish Priests. The twenty eighth, twenty ninth, thirtieth, and thirty first, contain Rules concerning Vicars and Vicegerents.

In the following ones it is decreed, that Parish Priests shall reside in their Parsonage Houses; that they keep them in repair; that they shall keep Registers of Christnings, and have a Bible with Commentaries, and the *Maniple*, (f) of the

Curates; and that they shall instruct the People every Sunday. The thirty sixth sets forth, that the Curates shall oblige their Parishioners to assist at the Parochial Mass under pain of Excommunication. The thirty seventh, forbids the Licensing of secular or regular Preachers, without the Leave of the Bishop. The thirty eighth is concerning the Precaution which ought to be observed in keeping the Eucharist, the Holy Chrism, and the Baptismal Fonts: And concerning the manner how the Eucharist ought to be carried to the Sick.

The thirty ninth relates to the Neatness and Decency of Church-Ornaments. The fortieth, exhorts Priests in Parishes to assist Curates and their Vicars when they say Mass, by being ready in their Surplices. The forty first, forbids exacting, nay receiving any thing by way of Bargain, for administering of Spiritual Things. The forty second, commands the holding of a Diocesan Synod, and enjoys all Curates to assist at it. The forty third, commands Divinity-Readers to preach in *Advent* and *Lent*, according to the Custom of every Place, and every Sunday in the Year, and to teach the Scriptures gratis every Day to the Canons and other Ecclesiasticks in the Place; and requires Divinity-Lectures to be set up in those Cathedral churches where there are none already. The forty fourth, contains some Regulations for Chappels, and other simple Benefices: And the forty fifth, makes noble Laws concerning the Celebration of the Office with Decency and Majesty.

The forty sixth and forty seventh, forbids Shews, Balls, Dancings and Feasts, made in some Churches upon Holidays. The forty eighth, requires the Laity to hear the Office with Devotion. The forty ninth, is concerning the exact observation of Feasts. The fiftieth, forbids confessing at *Exeter* to any body besides their own Curate, unless leave be obtained from him. The fifty first, forbids any Confessionals to be erected without the Bishop's leave. The fifty second, commands Physicians, when called to sick Persons, to urge them to be confess'd. The fifty third is about Marriages; it commands the Banns to be published thrice. The fifty fourth is against Concubinaries and lewd Women. The fifty fifth relates to the Cloistering of Nuns. The fifty sixth is of the Qualifications of Schoolmasters, and of what they are to teach. The fifty seventh is of punishing Hereticks and Sorcerers. The fifty eighth contains several Precautions against the Cheats of Pardoners, and Carriers of Indulgences. The fifty ninth orders Visitations, and regulates the Fees. The sixtieth imposes Pecuniary Mulcts against excommunicated Persons, that do not take care to get off their Excommunications. The sixty first is against too great an Exactness in granting Dispensations.

The four following Regulations relate to the Temporal Goods of Churches, such a Tithes, Oblations, Revenues of Fabricks, and the laying of them out. At last it declares, that the Council submits these Regulations to the Judgment of the Holy See; and that it does not intend to do any Prejudice to the Rights and Authority of the *Gallican* Church.

Council of Rheims in 1154.

Council of Rheims in 1154.

WHEN the Cardinal of *Lorraine* returned from the Council of *Trent*, he held a Provincial Council at *Rheims* in December following, to cause the Decrees of the Council of *Trent* to be received there, and to endeavour after the Reformation of the Clergy, and of the Ecclesiastical Discipline of his Province. The Bishops of *Soissons*, *Senlis* and *Châlons*, were there in Person, and the Proctors of the Bishops of *Noyon*, *Laon*, *Amiens* and *Boulogne*. The Archbishop of *Sens*, and the Bishop of *Verdun*, who were then at *Rheims*, were called to it. The

Deputies of the Chapters, and several Abbots, had Votes there. The Duke of *Guise*, the King's Lieutenant, in *Champagne*, the Bailiff of *Vermandois's* Lieutenant, and several Lords, were also present at that Assembly: Every thing was managed there with great Order and Ceremony. The Cardinal of *Lorraine* earnestly desired of the Council, that they would begin with examining whether there was any thing to be objected against his Conduct, that it might be reformed; and afterwards, that they would labour to draw up Articles of Reformation for Ecclesiasticks and Monks.

[(f) The *Maniple* is a sort of Scarf, which the Priest wears upon his Left Arm whilst he celebrates Mass.]

A Profession of Faith was read there, in which the Decrees of the Council of *Trent* were approved, then they made Regulations about Divine Offices, and they quite abolished Pardons; at last they read the Synodical Statutes which the Cardinal of *Lorraine* had caused to be drawn up, upon which every Man made his Observations. The Curate of *Vitry*, was informed against for Non-residence, and condemned to

quit his Benefice, only upon condition that he should have a hundred Livres. The Bishop of *Beauvais* was declared Contumacious, and it was resolved that the King should be written to about him. It was resolved also, that the Complaints of the Churches of the Province against Hereticks should be carried to the King. At last, when the Statutes had been read, corrected and approved, the Council broke up.

Council of Cambray, in 1565.

Maximilian of Berghen, Archbishop of Cambray, willing to exalt his new Dignity of Archbishop, which had been contested by the Archbishop of *Rheims*; held a Council at Cambray in August 1565, in which he made several Regulations conformable to those of the Council of *Trent*, about prohibited Books, Schools, Seminaries, Preaching of the Word of God, Reformation of

Divine Offices, Ecclesiastical Ministry, Examining of Curates, Residences Visitation of Dioceses, Matrimony, Tithes, Purgatory, Monastical Discipline, Worshipping of Saints, Images, Relicks and Indulgences. The Bishops of *Tournay*, *Arras*, *St. Omer*, and *Namur*, assisted at this Council.

Councils of Milan, and other Statutes and Regulations, held and made under St. Charles Borromeo, Archbishop of Milan.

St. Charles Borromeo, Nephew to Pope Pius IV. Cardinal of *St. Praxedes*, Archbishop of *Milan*, took mighty Pains to restore the Discipline of the Church, and to reform the Manners in his Province, and in his Dioceses; and the most effectual Means which he made use of, was to hold Provincial Councils, and Diocesan Synods, in which he made a great many Regulations, conformable to those of the Council of *Trent*, and to procure their Execution.

He held six Provincial Councils, the first was in August 1565, whose Decrees were divided into three Parts; the first contained those which related to Faith, and the Ways of Preserving it; the second, those which related to the Administration of the Sacraments; And the third, those which related to Hospitals and Monasteries. He observed nearly the same Order in the following Councils.

The second, was in March 1569. It contains several more

particular Regulations concerning the Functions and Duties of Ecclesiasticks.

The third, held in 1573, adds several Clauses and Circumstances to the former Regulations.

The fourth, was in 1576, and the fifth, in 1579. They are more particular in what relates to the Policy of the Church, add several Regulations to the former, pursuing still the same Order, and the same Method. The sixth, in 1582, adds very few things to the former. The seventh, was summoned to meet in April 1585, but was never held, because St. Charles died the November before.

He held also Eleven Diocesan Synods in those Years, in which he held no Provincial Councils; in which, several very useful Statutes were made.

He published likewise a great many Instructions Ordinances, Pastoral Letters, Regulations and other Constitutions, to be seen in the Collection of the Acts of the Church of *Milan*; printed in two Volumes in Folio at *Lions* in 1583.

Council of TOLEDO, in 1565.

Several Councils were held in *Spain* in 1565, after the Conclusion of that of *Trent*, to put its Decrees in Execution. They were held at *Toledo*, *Salamanca*, *Saragossa* and *Valencia*; but the Decrees of none of them were printed besides that of *Toledo*, *Christopher de Sandoval* Bishop of *Corduba*, five Bishops of that Province, and an Abbot were present. The first Session was held Sept. 5. In it the Decree of the Council of *Trent*, concerning the Celebra-

tion of Provincial Councils, and the Confession of Faith, were recited. The Second was held upon January 13. 1566. in which thirty one Articles of Regulations concerning Bishops, Curates, Canons and other Beneficiaries were read, and twenty eight others in a third Session, in which Priests were appointed to take care of the Execution of the Decrees of the Provincial Council.

Council of MECHLIN, in 1570.

Councils also were held in *Flanders* for the Reception of the Council of *Trent*. The Decrees of that of *Mechlin*, held in 1570; in which *Ruthvins*, Bishop of *Ipres*, the oldest Bishop of his Province presided, are still extant. It is there decreed, that all the Decrees of the Council of *Trent* shall be executed, and they made particular Regulations concerning administering the Sacraments, promoting to Orders, Marriages, Celebration of the Divine Offices,

Observation of Feasts, Indulgences and Superstitions; the Duties of Bishops, the Fees of their Secretaries for Dispatches, Residence of Ministers, Duties of rural Deans and Parish-Priests, Institution of Schools, Seminaries, Unions of Benefices, Leases, and preserving the Estates of the Church, Religious Men and Women, Apostolical Letters, Judges Delegates, Usury and Visitations.

Provincial Councils held in France, after the Council of Trent.

Though the Decrees of the Council of *Trent* were never received and published in *France*, yet the French Bishops held several Provincial Councils; in which they embraced Pope Pius the IV's Creed, and made Regulations conformable to those of the Council of *Trent*.

The Cardinal of *Bourbon* held one at *Rouen* (a) in 1581, which contains very noble Instructions concerning the Duties of Bishops, Curates and Officials. The Cardinal of *Guise* held another at *Rheims* (b) in 1583, which contains several Regulations concerning the Administration of the Sacraments, the Conduct and Duty of Ecclesiasticks: The Decrees and Acts of that Assembly are extant. *Antony de Jusfac*, Archbishop of *Bordeaux*, (c) held another in his own City that Year, which contained Regulations of the same Nature. There was another also held in the same Year, by the Prelates of the Province of *Tours*, (d) in which *Simon de Maillet*, Archbishop of *Tours*, presided; and the next Year one at *Bourges*, in which *René de Beaulne*, Archbishop of *Bourges*, presided (e) where were present the Bishops of *St. Flour*, *Ca-*

hors, *Limoges*, and a Proctor for the Church of *Clermont*, the See being vacant. That Council made very many Canons. In 1585, there was one at *Aix* in Provence; at which were present, besides the Archbishop of *Aix*, the Bishops of *Apt*, *Gap*, *Riez* and *Sisteron*, and a Proctor from the Bishop of *Frejus* (f). One at *Thoulouse* in 1590, (g) under the Cardinal of *Josense*, Archbishop of that City, at which assisted the Bishops of *St. Papoul*, *Rieux*, and *Vabres*, and the Proctors of the Bishops of *Lombez*, *Pamiers*, *Mirepoix*, and the Chapter of *Montauban* (h). The Archbishop of *Avignon* held one in 1594. It is impossible to set down all the Decrees of these Councils: It is sufficient to give notice, that they are Regulations concerning the Duties and Functions of Bishops, Curates and other Ecclesiasticks; the Administration of the Sacraments, the Establishment of Schools and Seminaries, Celebration of Divine Offices, Ecclesiastical Jurisdiction, the Goods of the Church, Monasteries, Schools, Hospitals, Church-yards, Prohibited Books, Visitation of Dioceses, and several other Points of Discipline.

(a) Councils of *Rouen* in 1581. (b) Of *Rheims* in 1583. (c) Of *Bordeaux* in 1585. (d) Of *Tours* in 1583. (e) Of *Bourges* in 1584. (f) Of *Aix* in 1585. (g) Of *Thoulouse* in 1590. (h) Of *Avignon* in 1594.

*A History
of what
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in Europe
relating to
Religion.*

Council of
Mexico in
1585.

*A History
of what
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in Europe
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Religion.*

Council of
Aquileia
in 1596.

Council of
Mexico in
1585.

Council of
Aquileia
in 1596.

*Of the Assemblies of the Clergy of France, which were held from
the Year 1561. to the End of the Century.*

Assembly
of 1867.

Assembly
in 1579.

Notwithstanding this Order there was no Assembly held before the Year 1579. for while the King constantly enjoy'd the Tenth which were given him by the Assembly at *Poissy*, he did not concern himself to call an Assembly. The Dioceses which claimed a Discharge of Payment of Tenth, from the last Day of the Year 1577. according to the Terms of the Contract of *Poissy*, and which were tired out with Executions served upon Ecclesiasticks, to make them pay Tenth still farther, sent Deputies to *Paris* in 1578. in great numbers. They presented a Petition to King *Henry III.* for Leave to call a General Assembly. The King refused it at first, and granted it afterwards for *May* 1179. by his Letter of *January* 12. of that Year, in which he commands the Clergy to choose two or three Bishops deputed out of every Province; but by another Letter of *May* 23. he allows them to choose Deputies out of the second Order, provided that, out of three, one be a Bishop. The Assembly was opened *May* 30. at *Paris*; but *June* 2. following, the Deputies sent to the King to grant them another Place to meet in besides the City of *Paris*, and his Majesty granted them the City of *Melun*, where they held their first Session *June* 20. There Disputes arose about fixing the President; the Archbishop of *Lyons* pretended, that he ought to preside because he was Primate, and the Archbishop of *Bourdeaux* as the oldest Archbishop; so it was resolved, that the Assembly should choose a President who should enjoy that Right *Jure Concessionis*, but not *Jure Dignitatis*. The Archbishops of *Lyons* and *Bourdeaux* were chosen Presidents together, without having any other deliberative Voice than for their own Province: It was resolved also, that they should give their Opinions *Ordine Inverso* by Provinces, and not by Heads. They began with taking an Oath, to vote according to their Consciences, and not to divulge their Debates directly or indirectly.

Arnaud de Pontac, Bishop of Bazas; made the Speech to the King upon July 3. 'He told him, the Disorders proceeded from two Causes. First, want of observing Ecclesiastical Discipline. Next a Scarcity of proper and sufficient Persons in chief Employments and Dignities. He beg'd leave of the King, to restore and reform Discipline pursuant to the Council of *Trent*; whose Decrees he entreated his Majesty to cause to be published, that they might be inviolably observed throughout his Kingdom. He represented to him, that the thirty five Dioceses which there are in *Languedoc*, and *Guienne*, are so abandoned, that they were all this Year without making any Holy Chrism, which they were forced to fetch beyond the Mountains out of *Spain*. He complained of the publick Commerce which was made of Benefices, authorized even by a Decree of the Grand Council, which order'd, that the Money arising from the Sale of a Bishoprick, should go towards paying the Sellers Debts; and by another Decree of the Privy Council, the Possession of an Abby was adjudged to a Lady as having been given to her in Dowry; and it orders, that after her Decease, her Heirs should enjoy it in equal Portions. He added that it was a current Report,

A History of what happened in Europe relating to Religion. that he intended to erect Secular Commendams. He concludes with a pathetic and threatening Exhortation, representing that there were about two thirds of the Churches in the Kingdom, in which the Service of God was entirely neglected; and he desired the King to restore Elections, that these Abuses might be rectified.

The King replied, 'That he was very glad that the Clergy intended a Reformation, he having desired nothing more than to see it; that a good part of the Clergy had been the chief Causes of these Disorders, since they were not willing to give a third Part of their Revenues to the Poor, and would not content themselves with one Benefice. As to Elections, that he had a Right of Nomination to Bishopricks and Abbies, which had been acquired, and left to him by his Predecessors, who had enjoy'd it with the consent of the Pope and the Church; that he was not the only Man who had the Right; that others had it likewise, as the Kings of Spain and Poland; that he knew better than any Man who were fit and capable for such Employments; that if wrong Provisions had been made formerly, he had found this Evil introduced; that he confessed he might perhaps have put in four or five undeserving Men, but for the rest, he had done his Duty well. Then he set down the Inconveniencies which would arise from Elections; that there would be nothing but Intrigues, Factions, Cabals, Quarrels, Corruption and Simony, as had been committed before the Nominations; that Ecclesiasticks were the Men that were guilty of Simony, and that trafficked for Benefices. As for Secular Commendams, that he had no other Intention but to support and maintain the Catholick Religion more and more, as might be seen by the Statutes of the Order; and that he took the Annates to support that Order, without any Intention of appropriating the Estate of the Church thereunto: That it should not be his fault that the Council of Trent was not published; but that his Brother Charles could never do it. That as soon as its Decrees were brought in by the Cardinal of Lorraine; there was a Council held at Fontainebleau, in which the Lord Cardinal and others of his Council, the Presidents, and *Genes du Roy* or his Court of Parliament were present, and there it was not judged expedient to publish it; and besides they took notice there of fifteen or sixteen Articles contrary to the Rights of the Kingdom, and the Liberties of the Gallican Church: That when he had acquainted the Pope with the troublesome Condition of his Kingdom, which was ill prepared to receive the publication of the Council, his Holiness had desired to sollicite it; that he was not the only King that had not published it, there being other Christian Kings who had not yet done it. And as for the Reformation which they pretended to draw from the Council, he thought it was not so necessary as they said, since he was informed that there were other Councils, several Canons and holy Decrees to which they might conform, and even from which the Statutes of that Council had been taken.

The Bishop of Bazas made Answer, That he acknowledged the Corruption of several particular Men among the Clergy, but that that ought not to be imputed to the whole Body; that he was willing to have a Conference with the Presidents, Procureurs and Advocates of the King in the Court of Parliament, concerning the Difficulties that there might be in the publication of the Holy Council of Trent; that he persisted to maintain that Elections were necessary, offering in the Name of the French Bishops to resign their Bishopricks, upon condition that Elections might be restored. He approved of the Order of the Holy Ghost, provided the Church did not suffer by it; and as for levying of Annates, he remonstrated, that that would lie heavily upon his Majesty's Conscience.

The king having ordered Monsieur de Believre to propose the Continuation of the Interest to the Assembly upon July 23. The Archbishoprick of Lyons made Answer, That the Clergy would not think of Temporals, till the Spirituals had been regulated; and that they desired the King in the first Place, to give them an Answer to their Demands given in by the Bishop of Bazas. The same Answer was made to the *Prevost des Marchands*; they promised however to consider of it.

The Archbishop of Lyons told Monsieur de Believre, 'That the Clergy had given the King more in these last twenty Years, than they had done in One thousand two hundred Years before, and ever since the Church was settled in that Kingdom. He made a long Harangue about the Immunities of the Clergy; owning however, that the Clergy had a Power of assisting the State in its pressing Necessities. He answer'd Pope Boniface VIII's Bull, which was urged to prove, That the King in his Necessity may dispose of the Clergy's Goods, in a lawful and customary way. I. That it was forged; the Arguments he used, were, That it was dated *Anno Pont. 3.* whereas Boniface and Philip the Fair had been Enemies from his second Year, and were never reconciled afterwards; that it is said, *Idem Bonifacius Papa hoc jus extendit, pro Redemptione Regis, Reginae & Filiorum ejus, Anno Pont. 13.* Whereas Boniface was Pope but eight Years, nine Months and seventeen Days. II. That

though such a Privilege had been granted, yet it had been revoked by Boniface himself, who forbade the King to take any thing from his Clergy, any Privilege to the contrary notwithstanding. III. That that Bull is only an Explication of the Bull *Clerici*; and that the Pope there declares only, That that Law, so far as it denounces Excommunication against the Kings that shall oppose it, is not valid against the King of France, and does not oppose his common Right. IV. That Philip never made use of that Privilege, and obtained of Pope Benedict a Permission to levy a Tenth in the Year 1304. to execute which, he called in the Bishops and Prelates; that he obtained also another from Clement. That when Philip V. had a mind to a Tenth, he pretended to take a Voyage beyond Sea, and the Pope granted it to him; and that he called for that purpose an Assembly at Paris, who were of Opinion, that his Passage cross the Water was not intended; but in case he took it, and that the King had occasion for a Sum, they would grant willingly to him, and to those that should go with him, Tenth upon the Revenues of the Clergy; and that upon that Answer, nothing was levied. That Charles IV. asked Leave of the Pope to levy a Tenth: That in Charles VI's time, the Duke of Anjou got Leave to raise some Tenth upon the Clergy of France; but that not being done with their Consent, the Ecclesiasticks opposed it vigorously, and John Gerson made thereupon a very noble Speech for the Privileges of the Church; which shews, that those two Conditions were so connected together, namely, the Consent of the Clergy, and the Authority of the Pope, that one was useless without the other. That this Form has always been observed, even in King Francis I's Reign, who, when he began to levy Tenth, had the Pope's Bull, and the Clergy's Consent; and that afterwards, when he put forth rigorous Letters, he made a Declaration that they should not be prejudicial, nor claimed as Precedents, to attribute any Right to the King of levying any Money upon Churchmen, against and in Prejudice to the Church's Liberties and Immunities: that in the Fear they were under, lest in these last Assemblies things might be done against their Liberties, and injurious to their Rights and Immunities, they would not confirm them, till they had examined them, which they should endeavour to do.

Believre replied, 'That the King would not touch the Immunities of the Clergy, nor insist upon his Contracts; but prayed them, upon the account of his Necessities, to do it voluntarily and willingly; he set forth also the Pressures of the State, the Losses which the King had suffer'd to maintain Religion: That the Contract was made in 1577. upon mature Deliberation, and in a numerous Assembly; he said also, That the King would give an Answer to the Clergy's Papers, and that an Answer was now a drawing up.

The *Prevost des Marchands* insisted and press'd mightily, that the Interest due to the Chamber of Paris might be paid; and said, that the Clergy's Money was employ'd in paying Arrears, and not Fonds.

The King wrote again to the Clergy, to content the Chamber of Paris; but notwithstanding that, the Clergy sent Deputies to his Majesty to let him know, that they could not acknowledge themselves obliged to the Contracts made with the Chamber of Paris.

These Deputies were charged likewise with Articles for the Reformation of the Church; and they were to desire, I. That the Decrees of the Council might be observed, as a means to destroy Heresy, to re-unite Christians, and to reform the Discipline of the Church: Petitioning his Majesty to cause them to be published and kept, but without prejudicing the Liberties of the Gallican Church, the Exemptions of Jurisdictions, and other Privileges of Cathedral and Collegiate Churches, and the other Ecclesiastical Persons of this Kingdom. II. That Elections might be restor'd. III. That the Commendams which were erecting in favour of Laymen might be suppress'd. IV. That the Exaction of the Annates of vacant Benefices might be stop'd. V. That Divine Service might be commanded to be restored in the Parishes where it has been intermitted, as well by the Usurpation of the Gentlemen, as by the Violence of the Innovators. These Articles were resolv'd upon at Melun, in the Assembly of July 28. 1579. The three last Articles were granted by the King upon Sept. 12. following.

August 8. The Archbishop of Lyons, the Bishops of Bazas and Noyon, who had been deputed to the King upon July 20. came back to the Assembly and reported, That they had desired a Reformation of the King: That his Majesty told them, He would let them know his Pleasure upon that Head in a few Days; and that he expected a Supply from the Clergy. The Archbishop of Lyons offer'd to grant one, but said, that the Clergy could not acknowledge that they ow'd any thing at present to the Chamber of Paris. The King thereupon granted them a Conference upon Monday, Aug. 3. with the Chancellor the Duke of Nevers, the Marshal de Retz, the Bishop of Paris, Believre the Procureur-General, and the Grand-Prior of Champagne.

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of what
happened
in Europe
relating to
Religion.

To their Demand, that the Council should be published, the Chancellor said, that as the Bishops had brought in their Qualifications, so the King had some to make on his part, and that the Protestants might take Exceptions at it, as being contrary to the Edict. The Archbishop of Lyons replied, that the Conference was not about that, and that they could not yield in what related to the Honour of God. Then they debated about Elections, without coming to any Determination. As to the Commendams, the Clergy were satisfied with the King's Declaration, that he did not intend to erect Commendams upon the Goods of the Church. Then they came to the Business of the Interest, which was the Principal Question: On the Clergy's side it was said, that Alienations of Church Revenues are forbidden, except in case of Necessity, and with the due Solemnities, which are a general Consent upon mature Deliberation, that the Contracts in Debate are a Sale, and an Alienation; that the first, in 1567, had more colour than the latter, which were made by particular Men, and never ratified; that in the former, there were not fifty Dioceses named. Lastly, that the Pope had never given his Consent. They offered, however, to give the King a Supply.

The Procureur General said, these Contracts were Authorized by the King, verified and made for a lawful Cause, and by lawful Proctors. The Archbishop of Lyons said, that these Proctors had neither Right nor Power to make them; on the contrary, that they were forbidden.

The Chancellor and de Retz said, that some Expedient must be found, and then asked the Deputies, if they had any. They answered, no, and said, they had no Power to grant any Supply till they were discharged of the Interest. The King then sent the Deputies back upon Aug. 25. to acquaint the Assembly with his Necessities, and with his Pleasure, that they satisfy the Interest due to the Chamber of Paris, and return him an Answer before next Sunday. Upon the 28th, it was resolved to beg time; and it was granted to Sunday Sept. 6th. Upon Sept. 4th, it was resolved to offer the King, by way of Free-Gift, a million of Livres a Year for six Years, provided the Clergy were discharged of the Interest. The King by a Decree of the Upper-Council (a) of Sept. 12. 1579 declared, that he would not prejudice the Contracts of the City-Chambers; and willed and ordained, that for the discharge of the Interest and Arrears due to them, the usual Subsidy should be raised; that it should be levied as formerly, and imposed upon the Clergy, and that Churchmen should be maintained in the free Enjoyment of their Estates.

(a) Conseil
à l'extraord.

Sept. 12. It was resolved to appoint two Agents, who should take care of the Affairs of the Clergy, and the Diocesan and Metropolitan Syndics. The Agents were to have 500 Crowns a Year. The first Agents that were chosen, were Loup and de Tiffant; and it was order'd. that they ought to be named every two Years by the Provinces in their Turns; and that the Particular Receivers of the Tenths should be suppress'd; and that three Persons of Note out of the Ecclesiastical State of every Province should be chosen every three Years to judge of Appeals of Archbishopricks and Bishopricks, who were to take with them Counsellors out of the Church, the Sovereign and Presidial Courts; and that their Judgments, if seven were present, should be Sovereign (b) that Archbishops and Bishops might be present at them, if no Causes in which they might be judged were to be heard, or their Vicars, and the Deputies of the Clergy of their Dioceses. It was moved, that Archbishops and Bishops should take an Oath before their Chapters, that they did not obtain their Dignities Simoniacally, nor were possessed of them in Trust; and the Abbots, Priors, and other Beneficiaries, before their Ordinaries.

(b) i. e.
Without
Appeal.

September 25. There was a new Protestation against the Interest due to the City-Chamber; there had been a former one upon Feb. 22. 1577. Upon Sept. 26. the Assembly was adjourned till Sept. 30th to the Abby of St. Germain des Prez in Paris.

October 7th. The King told the Deputies, that he could not then consent to the Publication of the Council of Trent: That he promised to name to the Bishopricks and Benefices in his Gift, such Persons as deserved them to fill them; and that the Clergy should feel the less Inconveniencies in that, than in Elections. He continued to demand the Payment of the Interest.

After many Disputes, it was ordered upon Saturday, Oct. 10th. That the King should be Petitioned to dissolve and make void all Contracts with the Chambers of the Cities of Paris and Tholouse, pretended to be made by the Clergy of France; and that thereupon the Clergy, with the good Leave of our holy Father the Pope, whose Permission and Authority they should desire, should oblige themselves at present, in good and legal Form, in the Sum of 733000 Livres Interest, the Principal redeemable for ever, at the Conveniency and

good Pleasure of the Clergy: And because, besides that Sum, the Chamber of Paris pretended, that 467000 Livres Interest was still due to them; the Clergy offered to impose a Tax of what for the Payment of that Sum, only for three Years; during which time, his Majesty should be Petition'd to call a Meeting of the States-General, to find out Ways and Means to discharge his Debts: To contribute towards which, if the Clergy had a mind to enter, the 733000 Livres Interest should be reckoned in as part; provided that his Majesty would charge those under value, and those that were not enjoyed (c): That one Diocese should not be obliged to pay (c) Non va- for another; and that the Ecclesiasticks might be charged with leurs & no other Impositions. Pursuant to this Resolution, a Petition nonjoissant was presented Oct. 14. to the King, with these Proposals. The King demanded, that all the Interest might be discharged by the Clergy; the Assembly would grant nothing more, and desired Leave to rise.

Oct. 22. A Latin Discourse made by order of the Assembly, Entitled, *Quid privatim & publice deceat in vita & Moribus Clericorum*, was presented by the Bishop of Nevers, and was read and approved.

Oct. 26. The Abbot of Cîteaux read a Latin Tract, Entitled, *Capita de Reformatione Regularium*; and M. Cibert another, *De Ecclesiarum Visitatione*; which were approved.

Oct. 28. The Assembly received an Order; not to break up till the Queen Mother came to them; so it was adjourn'd to Nov. 8. to the Bernardins, Nov. 15. the Assembly complimented the Queen; and the 16th, it sat in the Abby of St. Germain des Prez, in the Cardinal of Bourbon the Abbots Hall, who was present at the Assembly. It was there resolved, that the Assembly should insist upon demanding, that the King should be satisfied with their Offers.

His Majesty reply'd, that he was positively resolved to have the Clergy pay 1400000 Livres per Annum; and if those under-value exceeded the 200000 Livres which he demanded above their Offer, he would take it upon himself; that he intended they should pay, besides the Arrears due to the City-Chamber, and the 900000 Livres due to the Lord and Lady of Nemours, and other private Persons; not being willing to hear any more of that Matter, nor to suffer them to come against his Majesty, he seeming to be very much discontented. Thereupon it was said in the Assembly, *Ira Regis mors est*. However, the extreme Poverty and Weakness of the Clergy on the other side entered into Consideration, and it was resolved to keep to their Offer, and to order Sieur de Chiverny to acquaint him therewith.

November 20. The King was willing to speak to the whole Assembly that were to wait on him; He told them, he would have what he had desired of them put in Execution; and besides, if a War, or any necessity should happen, his Clergy must give him Supplies, only (says the King) I think *Solidities* (.) are unjust.

The Conditions which the Clergy desired upon which to pay the 1400000 Livres, were, first, that the King should by his Letters Patents declare, that nothing should hereafter be Levied upon the Clergy, except it were for lawful a Cause, to be proposed in the general Assembly of the Clergy, and with their Consent. II. That there should be no *Solidities* in any Diocese. III. That the Clergy shall not be answerable for the Under-value, and that the King shall indemnify them. IV. That a Diocese or Beneficiary that shall be plundered, of their Revenues by War or Violence, shall be discharged *pro rata* of their being plundered, or their *Non-enjoyment*. V. That his Majesty shall give the necessary Provisions, for what he has granted of the Spiritualities or Liberties of the Church. VI. That the Petition for Levying of Tenths, shall be answered according to the Intention of the Clergy. VII. That what shall be now granted, shall be without a new Contract, and by way of Subsidy for three Years, during which time his Majesty shall cause his States to be Assembled to pay his Debts. VIII. That this shall not prejudice Exemptions nor give Approbation to (former) Contracts. IX. That there shall be a considerable Abatement according to the nature of the Interests.

It was said, that the Memorials drawn up formerly concerning Seminaries, Visitations and other Parts of Ecclesiastical Discipline, should be put into the Bishop of Nevers's Hands, who was desired to put them into good Form, that they might be printed if it should be thought expedient; and that the said Articles should only be looked upon as Exhortations, and not as Statutes and Decrees.

Several Memorials concerning the Reformation of Colleges and Universities were presented to the Assembly.

December 11. 1579. The Protestations against the Contracts were given in to the Provosts des Marchands, and the Eschevins of the City of Paris. (u) The Parliament thereupon made an Order to command the Deputies of the Assem-

[(t) Solidity in the French Law is a joint Obligation entred into by several Creditors, by which every one of the Obligees binds himself to pay what they all owe in Common, upon the default of the rest

[(u) The Provost des Marchands and Eschevins of Paris answer in some Measure to the Lord Mayor and Sheriffs of London.]

ably to be arrested, and kept in Custody in their own Lodgings. The Execution of this Order was stopt by an Order of Council, mentioned by the King in his Letter to the Clergy. *December 22. 1579.* The Clergy order'd that all Beneficiaries, should be obliged to take an Oath, that they do not hold their Benefices by Simony, nor in Trust, nor pay Pen-sions out of them; and in case that any, notwithstanding their Oath, should be guilty, that they should be dilated to the next Synod.

To the Clergy's Conditions the King made Answer, that his Majesty would not have it said, that nothing could be imposed upon the Clergy without their Consent, unless with the Clause of the Assembly of *Poissy*: Nor would he have it said or specified without Leave, tho' he would not in the mean time hinder the Clergy from desiring it of the Pope; Nor would he have the Sum of 470000 Livres, which they offered for a Term of Years, enter into his Debts. But the Clergy would not desist from their Conditions. Then the King offered, that when the Question of Discharging his Debts should come on Foot, that he would favour and assist the Clergy so far, that so many 700000 Livres, should be first counted and received as a Royal Debt; but he said he would have no Clause importing, that nothing could be imposed without the Consent of the general Assembly of the Clergy: That he would take away *Solidities* by Letters-Patents, without mentioning it in the Contract. At last, the King was contented with 130000 Livres *per Annum*, for six Years; which was granted him by the Deputies upon *January 14. 1580.* upon Condition of enjoying the Conventions made by the Contracts in 1561. and 1567. without approving those Contracts, and the Conditions set down in their Offers; and that the Clergy should desire the Permission and Consent of the Pope; this was immediately resolved. It was order'd, that no Deputy for the future should be received in the Assembly, till he was in *Sacris*. That Assembly broke up *February ult. 1580.*

The As-
sembly in
1582.

June 28. 1582. There was an Assembly of the Clergy in the House of *Renaud de Beaulieu* Archbishop of *Bourges*, in the Cloister of the Church of *Paris*. There were with this Archbishop, *Arnold de Plessis* Bishop of *Bazas*, *Claude de Angennes* Bishop and Count of *Noyon*, *De la Barge* Vicar of the Archbishop of *Lyons*, Primate of *Gaul*, and other Deputies of the second Order of the Provinces, to examine the Accounts of *Philip de Chastille*, Receiver General of the Clergy. *Largade* was Promotor, and *Loisset* Secretary. The Order, that none should be admitted, as Deputy in the Assembly of the Clergy that was not in holy Orders, was confirmed. The Archbishop of *Bourges* was chosen President of this Assembly; and he made a Speech to the King at *Fontainebleau*, *July 17. 1582.* He made the usual Demands of the Reception of the Council of *Trent*, and the restoring of Elections. A Paper was presented, containing the particular Demands of the Clergy, and the Deputies of the Assembly held Conferences with the first President, concerning the Publication of the Council. That Matter was left to the Prelates that should stay behind at *Paris* to make an End of. That Assembly broke up *August 9. 1582.*

Assembly
in 1584.

The Assembly in 1584. was held in the Abby of *St. Germain des Prez*, *May 29.* The Cardinal of *Bourbon*, Archbishop of *Rouen*; the Cardinal of *Guise*, Archbishop of *Rheims*; *Renaud de Beaulieu* Archbishop of *Bourges*; the Bishop of *Cahors*; *De la Barge*, Deputy from the Archbishop of *Lyons*, and other Deputies of the second Order, were present.

The King demanded 200000 Crowns, *June 13. 1584.* the Archbishop of *Bourges* remonstrated to his Majesty, that of fourteen Provinces of the Clergy of *France*, there had appeared but seven, and these seven being of different Opinions, the Assembly had no Power to grant any thing; however, he desired the King to be contented with 300000 Livres, which should arise from the Redemption of the Demesnes of the Church that were alienated. The King was contented with a Tenth to be levied at the two usual Times, and laid aside the Business of the Redemption of the alienated Demesnes.

July 19. The Assembly presented a Petition to the King, in which they desired, that the Clergy should be bound by no Impositions, as long as they observed the Contract that was made for the Payment of the Interest due to the City-Chamber unless his Majesty rather chose to grant a Recision, (w) of the Contracts for Estates ill sold, upon which he might resume the Sum of 350000 Livres, for which, Commissions should be given out by the King.

The King was willing to allow a Recision, if they pay'd that Year for a Tenth and half 150000 Crowns; and 100000 Crowns in the next Assembly. The Assembly resolved not to sollicite for a fuller Answer, lest this should look like a Treaty which they made with the King. They broke up *August 16. 1584.*

Assembly
in 1585.

The Assembly in 1585. was preceded by the King's Edict in *July*, to oblige all his Subjects to reunite themselves to the Catholick Religion, by revoking the Liberty of Conscience,

and forbidding the Hereticks to exercise their Religion. The Cardinals of *Bourbon* and *Guise* presided in that Assembly.

The last Day of *September* was employ'd in shewing their Proxies: Then the King's Demand for 100000 Crowns Interest was made. *October 2.* the Deputies took the usual Oath, and resolved to vote by Provinces. It was order'd, that in case of the Absence of Cardinals, the Assembly should choose a President. The Assembly's Demands of the King, were, I. To cause the Council of *Trent* to be publish'd, that it might be observed and executed according to the Re-formations and Qualifications agreed upon in the States of *Blois*, and the Assembly of *Melan*. II. To restore Provincial Councils. III. To regulate Appeals as from an Abuse. IV. To restore the Right of Elections to Bishopricks, Abbies, and other Elective Benefices. V. To reform Abuses of giving Benefices to Men unworthy, uncapable, or married; to declare Benefices held in Trust, to be void *de Jure*; and to allow Prelates to proceed against those that hold them in Trust, according to the Censures of Pope *Pius IV.* and Pope *Pius V.* VI. To restore Ecclesiasticks to their Rights, Authority and Jurisdiction, and to protect them against Hereticks. VII. To maintain them in their Privileges. Then they debated. I. Concerning the Restoring the Catholick Religion. II. Concerning the Supply which they were to grant the King, provided it were with the consent of the Pope, and the good liking of the Clergy, and that the Sum were laid out in a War against Hereticks. It was ordered, that a Deputation should be sent from the Clergy to his Holiness, to obtain Leave to raise the Money, and that there should be Deputies appointed in the Clergy's Name to regulate its Distribution.

October 7. They granted the King, for the pressing Necessities of his Army in *Guienne*, 120000 Crowns; and it was resolved to offer him a Million of Gold, to be laid out in maintaining that Army commanded by the Duke of *Mayenne*, of which 120000 Crowns were to be paid in *October*, the same Sum every Month following, and 50000 Crowns over for ever Month in the Year 1586.

October 13. The Bishop of *Noyon* made a Speech to the King; he desired the Publication of the Council of *Trent*, the Restoration of Elections, the Reformation of the Abuse of possessing Benefices by unworthy Men, by Laymen, nay by Women; a Regulation of Appeals as from an Abuse, and of privileged Cases, and the restoring of Provincial Councils; he exhorted the King to compel Hereticks to be re-united to the Church; he proposed to send to the Pope for Leave to them, to give his Majesty Money; and lastly, he desired that the Immunities of the Churchmen might be preserved.

The King demanded also 200000 Crowns besides the Million; and for the other things, he said, they should confer with his Chancellor, and the Presidents of the Court of Parliament. The Bishop of *Noyon* was named to be their Deputy to the Pope, that he might authorize the Subsidy jointly with the Bishop of *Paris* who went to *Rome* from the King. The King would not suffer the Clergy to send a Deputy; the Clergy obeyed, after having remonstrated that those Deputations were not new; that the Clergy had sent one upon a like Case upon his Majesty's return from the Kingdom of *Poland*; that during the War with the *Albigenses*, *Fulk* Bishop of *Toulouse*, and *Maurice* Bishop of *Conserans*, went to *Rome* in the Name of the *Gallican* Church: That about the same Time, a Council named the Bishop of *Conserans*, the Abbot of *Clerac*, and the Archdeacon of *Paris*, their Deputies to go to *Rome* for the War against the *Albigenses*; that the Prelates assembled at the Council of *Pisa* in 1515. sent a Deputation to *Rome* to Pope *Leo X.* at the same Time that the Parliament of *Provence*, and the Chamber of Accounts of that Country, deputed their Proctors. It was order'd, that the Jesuits should be comprehended in the Tax for the Benefices which they held, as also the Chappels whose Revenue exceeded 50 Livres, Nunneries, Hospitals, Lazaretto's, &c. The Bishop of *St. Brien* also made a Speech in the Assembly's Name, containing the following Demands. I. The Execution of the Edict of Re-union. II. The Publication of the Council of *Trent*. III. The Restoring of Elections; which if the King should defer to grant, he should be desired to choose good Men, and not to give Monasteries in Commendam; but to Monks or Ecclesiasticks, who were devout and well instructed in the Rules of the Church. IV. The Re-establishment of the Jurisdiction of Ecclesiasticks, by moderating Appeals as from an Abuse, and maintaining the Clergy in their Exemptions, both of Persons and Goods. V. The Discharging of the Clergy from paying the Interest to the Chamber of *Paris*.

To the first, the King made Answer, that he had several times before been summon'd to it in the Name of the Clergy; but that some of that Company knew well enough, that notwithstanding the Consideration of the Times which then caused an Impediment, by reason of the Edicts of Pacification, he had caused his Council, and some of the Presidents and Counsellors of the Court of Parliament, to meet; with whom having often conferred, several Things greatly derogatory to the Privileges of

[(w) Letters of Recision, are granted in the Lesser Chancery to void any Contract, and to restore the Parties to the

State they were in before the making that Contract.]

A History
of what
happen'd
in Europe
relating to
Religion.

the Gallican Church, and particularly to the Rights of this Crown, had been taken notice of: That he did not believe that this Solicitation proceeded from the Inclination of the whole Clergy; that several of them would not subscribe to it, for their own particular Interest; that he was willing however that it should be re-consider'd; and that he had commanded his Chancellor to call his Council and the aforesaid Presidents together, to confer about it. To the second Head, that he would not part with his Right of Elections, but would use it well. To Appeals as from an Abuse, and Jurisdiction, that they must confer with the Council, and the Presidents. To the Interest, that since he could not pay it, the Clergy must continue to pay it still: And that they might deliberate and come back again, if they pleas'd; yet they should never have any other Answer, since the Necessity of his Affairs could not suffer it. In their Paper they positively demanded, that Commendams might be entirely suppress'd. The ancient Promoters said, that in an Assembly, in which the Archbishop of Lyons, the Bishops of Paris and Langres, Monsieur de Lenoncourt, and the Presidents Pibrac, Brissou and la Guesle, and de Thou then King's Advocate and Procureur-General, met at Monsieur Lenoncourt's House; after a long Conference, and a great Debate, it was granted to the Clergy, that for the future no Appeals as from an Abuse should be receiv'd, but in three Cases; Attempt of Jurisdiction, Contravention to the holy Canons, and Contravention to the Privileges of the Gallican Church: And that they were promised, that an Edict should be drawn up; which it was impossible afterwards to obtain.

They put into their Paper an Article about young Canons: That Chapters should be obliged and constrained to send some of their young Canons to study; namely, in Cathedral and Collegiate Churches where there shall be twelve, one; and where there shall be twenty four, two; and upwards in Proportion; for such a time as the Chapters shall judge convenient: And for that purpose they shall enjoy the Gross of their Prebends; and where that shall not be sufficient for their Maintenance, the said Chapters shall make it up out of the Revenues assigned for their Distributions, upon Condition, that the aforesaid Students shall every Year send Certificates of their Behaviour, and Progress and Advancement in their aforesaid Studies; and the said Chapters may appoint Persons to examine them, and to make their Report; and if they do not do their Duty, they may recal them. Concerning Visitations, it was debated, That his Majesty should be petitioned to admonish and exhort Priests, Archbishops, Bishops, Heads of Orders, and others who have a Right of Visitation, to visit the Benefices within their Districts, and under their Visitation, once a Year; and after a Year is pass'd, in which the said Heads of Orders and others shall not have proceeded to make their said Visitation, that the said Lords, Archbishops, and Bishops may visit in their Default; and in such visitation, what they shall ordain shall be put in Execution, any Opposition or Appeal to the contrary notwithstanding.

October 20. This Paper was carried to the King containing the same Heads as the Bishop of St. Brien's Speech. It says, That concerning the Council, two things are to be considered: Its Doctrine, concerning which there is no Difficulty; and its Discipline, concerning which the Difficulties may be removed by an Apostolical Breve, which the Pope will grant: It represents, that the Concordate was made without the Gallican Church's ever giving its Consent, or being heard, or appealing; that the Church might say upon that occasion, *Parti sunt vestimenta mea, & super vestimenta mea miserunt sortem*; that the Court of Parliament rais'd all possible Difficulties and Refusals to the Verification of that Edict; that if there are twelve worthy Bishops now, there were fifty then.

The King made the same Answer he had made before. A Conference was commanded, and held about the Reception of the Council. The King caus'd a Form of Confession of Faith to be drawn up about that time, to be signed by those that should re-enter into the Catholick Church, and it was sent by his Order to all the Bishops: It contained the same Points, and was drawn up almost in the same Words with that of Pius IV. all but in the Article concerning the Sovereign Pontiff, who is indeed acknowledged to be Vicar of Jesus Christ upon Earth, and true Successor of St. Peter; but without promising him Obedience; and also that there is no special mention of the Council of Trent, as there is in the Creed of Pope Pius IV.

The first Letter of the King's, which went along with the Profession of Faith, set forth, that his Majesty intended that the Bishops should sign it without any Alteration. In the second, his Majesty only declares, that he desires them to conform to that Creed, as to a thing that is convenient.

In the Conference concerning the Council, the Advocate General made a long Remonstrance, to shew, that it was not convenient to publish it. The Reasons which he gave, were these, I. The Complaints which the Ambassadors, who were sent to that Council, made against it. II. The Resolutions not to receive it, which have been communicated to all the Assemblies. III. The Paper of some Articles extracted out of the Council, with some other more ancient ones for the

VOL. III.

Reformation of the Clergy and the Ecclesiastical Discipline of France, presented by his Eminence the Cardinal of Lorraine, and allowed by the King. IV. The Contradiction and Opposition of the Chapters and other Ecclesiasticks, and of the Nobility and third Estate in the States-General of Blois. V. The Memorials of the Procureur-General Bourdin, containing full sixty Articles, which he pretended were prejudicial to the Rights and Authority of the King, and Attempts upon Jurisdiction in that Matter, and therefore derogatory to the Liberties of the Gallican Church.

It was answer'd in behalf of the Clergy, I. That the Council did not prejudice the Right of Precedence of the Ambassadors, but preserved their Rank immediately after the Emperor's Ambassadors, and only suffered the Spanish Minister to have a Place out of his Rank; nay the Council had made a Decree, in which it declared, That it would not prejudice the Rights, Ranks and Privileges of Kings; that in the List, the French Ambassadors are named before the Spanish; and that the Cause was adjudged for the King of France by Pope Pius IV.

For what was said, that the Council had not done Right to the Memorials, Instructions, and Demands made in the King's Name to the Council by his Ambassador, it was replied, I. That there was no Request presented; that general Laws do not prejudice particular Customs; that Difficulties concerning its Execution, with the Modifications, were left to the Pope; that the Council had been approved and signed by the Cardinal of Lorraine, in the Name and on the Behalf of the late King, by virtue of special Powers which he had from the King for that purpose. II. That if it had been rejected in precedent Assemblies, it was because of the Circumstances of the times, the Troubles of the Kingdom, and the Minority of the Kings. III. To the Articles presented by the Cardinal of Lorraine, concerning the Difficulties relating to the Reception of the Council, it was replied, That that also was by reason of the Circumstances of the times, and that a like Request had been made in all Assemblies. IV. That the Opposition of the Chapters at the States of Blois was taken off: That the other States never formally oppos'd it, only took notice how much it was their Interest to hinder the Execution of certain Articles relating to Patronages, Presentations to Benefices, and the Foundations of their Houses; and as for the third Estate, they would willingly have shaken off the Yoke of Obedience; having Hugonots mixed among them, by whose Artifices all this was rais'd. And last of all, that a Breve might be got of the Pope concerning these Grievances. Upon the last Head, the Clergy maintained, that the Council did no Prejudice to the Rights and Authority of Kings, and the Privileges of the Gallican Church: That no Answer could be given to any particular Memorial, unless it were communicated to them: That the Council preserves the Right of Kings, even the faculty of nominating to Cathedrals and other Benefices. As to the Liberties of the Gallican Church, they consist of three things: I. Of being discharged of general and special Reservations. II. Of having all Causes examined and judged by Ordinaries *in paribus*. III. Of the Reduction of half the Annates, and not being tied to the Observation of the Rules of the Apostolical Chancery, unless they be received in France. These Rights the Council has not derogated from, nor encreased the Pope's Authority in France; and if it were received, the Pope would be deprived of Mandates, Provisions to Parochial Churches, and the Authority would be remitted to the Ordinaries; lastly, That the Pope will grant such a Declaration, Dispensation and Modification of those Articles, as shall be convenient for the Preservation of the Rights and Authority of the Crown, and Liberties of the Gallican Church, and the Exemptions and Indults formerly granted.

The Chancellor objected, I. That they required a publication of the Council *novo more*, and without Example, and that they ought to declare what Form had been anciently granted upon like Occasions. II. That it seem'd indecent to receive a Council in part, and to leave the rest behind.

To the first Objection, it was replied, That the King was petitioned for three things. I. To receive the Council. II. To suffer Archbishops and Bishops to publish and observe it in their respective Dioceses. III. To command his Courts of Parliament to see that it be published and put in Execution. To the second, That it is no new thing to receive some Articles and not the rest, and the rather since the Pope, who is the living Law, can grant Modifications and Declarations upon any of them, as had been practis'd at Bourges, concerning the Reception of the Councils of Constance and Basil.

The King ended this Dispute, by saying, That he resolv'd that what he had decided concerning Faith, should be observed throughout his Kingdom; but as for several Articles of Discipline, the Execution of which would be prejudicial to his State; since the Circumstances of the Times did not allow a more particular Examination of them at that time, he deferred and put off giving a Resolution to the Clergy's Demand to another time; but said in the mean time, they ought to labour after the Extirpation of Heresy, and the Maintenance of the Faith.

The Clergy then made a Remonstrance to the King, concerning the Confession of Faith; That it did not belong to

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the King to draw up Confessions of Faith, nor to command Bishops to sign them; that *Francis I.* made use of the Articles of Faith drawn up by the *Sorbonne*, which he commanded Preachers to observe in their Sermons, and to assert nothing repugnant to them; that he did not compose them, nor cause them to be composed; but left it to the Judgment of the *Sorbonne*, which is the ordinary Council of the *Gallican* Church, contenting himself with authorizing what those Doctors had decided. And as for the diversity of Creeds, which are said to be in some Dioceses, they will be found to be all alike in Substance as to Faith; and if there is more or less in some, that belongs to the Prudence of the Bishops, who know how to distribute the Food of the Elect to Novices and Hereticks, newly converted, according to their Capacity; for, say they, as all Shoes are not fit for the same Foot, so all Doctrine is not necessary to be so much explained to some, as others; and though the Conformity of Words in the same Articles were necessary, yet that ought to be left to the Discretion of the abovesaid Prelates, who will always receive with all humility, the Admonitions which shall come from his Majesty; that they have Creeds already taken out of the Council of *Trent*; that they have Forms in their Pontifical Books, which every Man has a Right to use according to his Conscience.

After this Remonstrance was given in, the King sent to the Prelates to send him back his Profession of Faith and Letter, upon pretence that they were printed faulty. The Faculty of Divinity of *Paris* was consulted by the Clergy upon this Question; it was proposed in the following Terms, namely, *Whether Bishops who exact a Confession of Faith from Lay-Hereticks, who return back into the Church, according to the Form of Pius IV. ought to mention the Council of Trent in it; and whether they may pass over in silence, the Promise of obeying the holy Pontiff, and in case that Article cannot be taken away, whether it may not be justified.* The Faculty in a Meeting *January 16. 1586.* concluded, that there ought to be an express mention of the Council of *Trent* in the Confession of Faith, and the promise of Obedience to the holy See, both of the Clergy and the Laity, ought to be express'd in it without any Modification.

Assembly
of 1586.

This Assembly of 1585. was continued till *June 19. 1586.* *February 8.* The Chancellor sent word to the Archbishop of *Vienne*, That it was thought strange, that some Bishops were not contented with the Abjuration which the Hereticks made in their own Officialities, but would have it made publicly: Whereupon it was decreed, That the Acts of Abjuration, and other Instruments of that Nature, should be lodged in the Hands of the Bishop of *Nevon*.

The Deputies took Exceptions that the Articles in their Paper had been changed, and that nothing more had been granted them than what was in the Paper at *St. Germain*. They observ'd, that by the Article of *Banns*, concerning Clandestine Marriages, according to which, they would regulate the Article in their Paper, it seem'd as if the King would try Causes belonging to the Question *Fidelis Matrimonii*.

The Pope's Bull, by which he granted to the King, besides the Alienation of 50000 Crowns a Year, promised and granted by the Clergy 50000 Crowns more in case they could not do otherwise, raised the Complaints of the Clergy. The Assembly presented a Petition to the Parliament to oppose its being registred. They affirmed, that the Pope could grant no Alienations without the Clergy's consent, and they sent up their Remonstrances to the King by the Archbishop of *Vienne*: The Prelates alledged the Constitution of *Symmacus* against Alienating of Church Goods, and another of *Martin V.* to the Council of *Constance*; and that the Clause of the Bull of this last Alienation, *Invisis Clericis & contradicentibus*, had never been approved in Parliament.

March 7. The Bishop of *Nevon* made an eloquent and warm Speech to the Parliament against the Alienation; he said, the sixth Council had allowed them to sell *Cimelia*, the Moveables of the Church, for redeeming Captives and other Necessities; but that Alienations of real Estates were different things; that *Alexis's Golden Bull* forbids the Alienation of the immoveable Estate of the Church; that the Constitution of *Martin V.* forbids any Imposition of Tenth, *Inconsultis prelatibus Regis & ipsius non consentientibus*. Upon these Remonstrances an Order of Parliament came forth, declaring,

That the Bull should be verified for the first 50000 Crowns, and that for the overplus they would humbly lay the Case before the King. The Assembly wrote a Letter at the same time to the Pope, complaining of the Bull, and desiring him not to take it ill that they proceeded in that manner.

The Delegates agreed, That they could not proceed to any Sale or Alienation for the other 50000 Crowns without the Clergy's Consent. The Archbishop of *Vienne* made a handsome Speech to the King, in which he told him again about Elections, the Publication of the Council of *Trent*, and the War against the Hereticks.

The Pope answer'd the Bishops by a Breve *May 7. 1586.* and told them, they ought to thank themselves if they were overcharged: That the holy See would never consent to their paying above their Abilities; that if they did not give their consent on their Parts, neither he nor his Successors would ever give theirs.

The Contract for the Interest payable to the Chamber of *Paris*, was continued for ten Years. The Dean of *Langres* read an Order against those that held Benefices in Trust. They resolv'd to write to the Bishops concerning the observing the Discipline of the Council of *Trent*, and Provisions to Cathedral and Collegiate Dignities. It was order'd, that their Agents should be Graduates or Licentiates in Canon-Law or Divinity. This Assembly rose *Sept. 1. 1586.*

The King having verified in Parliament the second part of the Bull of *April 30. 1586.* which was confirmed by a Breve of *July 30. 1587.* the Assembly of 1588. was held in *Jan. Feb. and March*, upon the Accounts which the Agents gave to the Provinces. The Cardinal of *Bourbon* presided in it; the Archbishop of *Bourges*, and the Deputies of the second Order, were there at the beginning; other Bishops came in afterwards. They offer'd the King 500000 Crowns, and demanded the Revocation of the second part of the Bull. The King was contented with 600000 Crowns, instead of the 1200000 Crowns, which were granted him by the Bull. This Assembly broke up *March 7. 1588.*

The Troubles of the Kingdom, which came on after this Assembly, after *Henry III's* Death, were the Reasons that no Assembly of the Clergy was held till *Henry IV.* was quiet Possessor of the Kingdom. In 1598. there was one held, to take the Receivers Accounts: It began *May 15.* The Cardinal de *Gondi* was President. The King demanded nothing of the Clergy; but they made their Remonstrance upon *Sept. 25.* containing their ordinary Demands: The Publication of the Council of *Trent*; the Restoring the Pragmatick Sanction; if not, the Election of proper Persons for Bishopricks and Abbies; and the Revocation of Pensions granted to Laymen.

The King made the following Answer: *In Truth, I own that what you say is true: I am not the Author of these Nominations; these Abuses were introduced before my time, during the War: I ran where the Fire was greatest, to put it out; now there is a Peace, I will do what I ought to do in this time of Peace. I know that Religion and Justice are the Foundations and Pillars of this Kingdom, which is preserved by Justice under Piety; and if they were not here, I would settle them: But Step by Step, so I will go on in all Things: I will manage it so, God willing, that the Church shall be as well as it has been these hundred Years. I hope to discharge my Conscience, and to give you Content: This shall be done by little and little; Paris was not built in one Day. Do you, by your good Examples, cause the People to be as much excited to do well, as they have formerly been deterred: You have exhorted me to do my Duty, I exhort you to do yours: Let us both do well: Go you one way, and I will go another; and if we meet, the Business will be quickly done. My Predecessors spoke to you with great Ceremony, and I with my grey Jacket will give real Proofs: I have only a grey Jacket; I am grey without, but all golden within.*

In that Assembly there were some Regulations made about Tenth; and the Accounts were examined. They broke up *October 10. 1598.*

This is what is most remarkable in these first Assemblies of the Clergy; in which several Prelates signalized themselves by their Zeal, their Eloquence, their Learning, and, above all, by that respectful Boldness with which they spoke to the King in Defence of the Discipline, the Rights and Revenues of the Church.

CHAP. X.

Censures of the Faculty of Divinity of Paris, from 1550. to the End of the Century.

Catalogue
of Prohibited
Books
drawn up
by the
Faculty.

IN 1550. the Faculty of Divinity of *Paris* drew up, by the King's Order, a Catalogue of Books which ought to be prohibited, and put a Preface before it; in which they set forth the Necessity that there is of separating pernicious Books from those that may be useful, that so Christians may learn what Books they ought to read, and what Books they ought to avoid. To shew how much this Discernment is necessary, they quote *St. Jerom's* Discourse of Ec-

clesiastical Authors, *St. Augustine's* and *Theodore's* Treatises of Heresies. They commend the Religion of ancient *Gaul*, which, according to *St. Jerome*, did not formerly produce those Monsters of Heresie which were so common in other Countries: They lament the Misfortune of these latter Times, in which these Heresies have sprung up: They commend the Piety of King *Francis I.* who applied himself to extinguish Heresie, and defend the Church: They particularly men-

mention that Zeal which he shew'd, to revenge an Injury which was done to an Image of the Virgin that the *Hugonots* had broken; of the Procession of the Holy Sacrament, at which he assisted; and of his Rigour in punishing Hereticks: They recommend the Zeal of the Faculty of the Divinity of Paris in extinguishing of Heresies, and the Pains they were at to condemn Errors: They distinguish two sorts of Hereticks; some that publish their Errors openly, without Disguise; and others that conceal their Poison: They observe, that some prefix their true Names, by which they are known to be Hereticks; that some print their Works without Authors and Printers Names; and some assume the Names of Catholick Authors: They say, that this Catalogue is drawn up, that the Curates and Magistrates may know the Books which they are not to suffer the People to read: They take notice that some are Heretical, and deserve to be burnt, some are suspected of Heresie, scandalous and blasphemous; and others which ought to be published, for the Good of the Church; and others which are impious and execrable. This Catalogue of prohibited Books, which contains great Numbers, both *Latin* and *French*, was fixed and approved, October 6. 1551, in the Assembly of the Faculty of Divinity of Paris.

We shall speak of the Censure of the Faculty of Divinity of Paris against the Book of the *Lesser Dates* of Charles du Moulin, made March 9. 1552. in another place; and so we shall say nothing particular about it here.

October 1. 1552, the Faculty expelled one of their Members, a *Licentiate*; one William Castel, a *Carmelite*; for being present at a *Lutheran* Sacrament.

October 16. they censured a Proposition which Henry Mauroy, a *Franciscan*, advanced in a Sermon at St. Severin's conceived in these Words; 'Under the Law of Grace, Infants, dying without Baptism, are saved by the Faith of their Parents; as under the old Law, without Circumcision: And if an Infant dies before he is baptized, he is saved by the Faith of his Father and Mother, and of his Relations and Friends.' He restrained this to Cases of Necessity, and Cases where the Parents could not get them baptized. Mauroy owned, upon the 13th of October, that he had advanced that Proposition; but he submitted it to the Judgment of the Faculty of Divinity, his Mother. The Proposition was censured by the Deputies as *Rash*, *Scandalous*, and *Heretical*; and it was resolv'd, that Mauroy should be called before the Faculty, that they might give Judgment in a full Meeting upon this Proposition, and that they might consider upon the Manner and Form of his making Reparation. October 17. the same Mauroy appeared; and it was resolv'd, that he should publicly retract that Proposition in St. Severin's Church, before three or four Doctors, according to a Form which the Deputies should give him in writing; to which he should add nothing in his own excuse, and only produce the Passages out of Scripture which refute his Error. Mauroy obey'd the Faculty, and made his Retraction.

December 15 the Procurer General demanded of the Faculty, that the Books of *Masancal*, President in the Parliament of *Thoulouse*, which had been put by the Faculty into the Catalogue of prohibited Books, and censured, might be struck out of that Catalogue, pursuant to the Letters-Patents which he had got, that had been notified to the Faculty. This the Faculty declared they could not do. In the same Meeting they sent for the Inquisitor, to give in to them the Informations which he had against Castel: He declared he had them not, but that he had seen them in the Hands of a *Dominican*, his substitute; he promised to do all he could to recover them, that so the Faculty might make a Decree against that *Licentiate*.

At the same time the following Propositions were delated to the Faculty, preach'd by Gibout, upon *Ascension-Day*, in the Church of St. Nicholas in the Fields, which he was obliged to retract. The First was drawn up in these Words; 'We have an Advocate, and Mediator, a Redeemer, who intercedes, sollicitudes, and is our Advocate with God his Father: Let us not therefore, my Brethren, despair. It is a good Consequence therefore, that if the Head be there, the Members will follow after, without saying any thing else. His Retraction runs thus: "This Proposition is not sufficiently explained, since it makes no mention of Works, which I do confess to be, to those that have the Use of Reason, necessary to Salvation; and we ought not solely to lean upon the Prayers and Merits of our Lord, but entirely keep the Commands of God, if we would be saved; and our aforesaid Works are meritorious, if they are done in the Grace of God."

The second Proposition which he retracted is upon these Words; *Prædicare Evangelium omni Creaturæ*. The Words are these; 'Let us preach, let us preach the Gospel; not a Heap of Things invented in our own Brains, nor legal and outward Ceremonies. What shall we preach then? We will preach the *Old and New Testament*, with the Histories therein contained.' Upon this Proposition he was made to say this: "I confess we ought not only to preach the Gospel, or what is directly in the Holy Scriptures; but it is very good and useful likewise to explain

and preach upon the Ceremonies, Constitutions, and Commands of the Church, which are not Fables, nor the useless Inventions of the Brains of Men, but useful and profitable; nay, the Commandments of the Church are necessary to Salvation."

The third Proposition is upon this Passage *Exprobat in credulitatem eorum*. The Words are these: 'Whence comes it that the Apostles could not work Miracles, when they had not a firm Faith in God? See how much Unbelief is displeasing to God: On the contrary, nothing pleases God more than Faith.' He declares in his Retraction, "That he confesses, that to love God above all things, is much more pleasing to God than Faith: Nay, according to St. Paul's Doctrine, we may have Faith and not please God; and tho' Unbelief be a Sin very displeasing to God, yet Faith without Charity and Good Works does not make us please God; according to the Testimony of St. James, Faith without Good Works is dead. Gibout submitted himself in this manner to the Judgment of the Faculty, and pronounced his Retraction publicly in the Church of St. Nicholas in the Fields.

July 1. 1553, the Faculty censured a Book, entituled, *The Censure of Congregation, in which the Election of God is very largely handled*; which ends with these Words, *Let us remember our Brethren who are still detained in this Babylonian servitude under the Roman Antichrist*. The Faculty declared, "That that Book contained several Propositions erroneous, injurious, schismatical, heretical and blasphemous, and Explications of Holy Scripture in a wrong Sense; and consequently that it is execrable, and unworthy of Christian Ears, and ought to be suppressed."

This General Censure is followed by seventeen Propositions which are particularly censured.

I. The Use of the Word *Cena* [Supper, instead of *Encharist*] was declared suspicious.

II. God will call the Unbelievers: But this Call is not sufficient for their Conversion, if he does not touch their Hearts to the quick, and give such a Vertue to the Word as that it may abide in them. This Proposition is pronounced heretical.

III. Popish Divines have a Distinction common among them; that is, that God does not choose Men for the Works which are in them; but that he chooses them as he foresees they will be faithful, and this in a contrary manner to what we have already shewn concerning St. Paul. This Proposition is declared to be injurious to Catholick Doctors, and schismatical.

IV. For it is certain that we are so much corrupted, that we can do nothing but what is wholly Evil. It is well said indeed, that to those that love God, all Things shall work together for Good; but it is said also in the same Chapter, that all the Virtues of our Nature are as it were so many Enemies before God. This Proposition is pronounced heretical in both its Parts and falsely imposing upon St. Paul.

V. God assists by his Mercy; that is very well: If it were so, we might also say the contrary; for then there would be a Concurrence between God and Man. This Proposition is declared heretical. (x)

VII. For it is impossible for us ever to be at Peace, or to have Rest in our Consciences, unless we have such a Foundation within us, i. e. that God has chosen us. This Proposition is pronounced to be rash and heretical.

VIII. We ought therefore to acknowledge, that we were called; and that this depends upon the Fatherly Goodness of our God, and upon that Election which he has made before all Time: If we have not this Foundation, we shall go over the whole Bible without receiving any Instruction that may be to our Advantage. This Proposition is declared to be rash and heretical.

IX. This is the Cause, and this ought to suffice us, since St. Paul has no other besides this Will of God, by which he designs to foreclose all Merit, all Worth, and will shew how this Election of God is gratuitous, and founded upon his pure Goodness. This Proposition is judged to be captious.

X. Let us only content our selves with this Faith which he has given us, whereby he gives us certain Testimony that we are of his Elect. This Exhortation is pronounced to be rash and heretical.

XI. So we are not to say, that Men have this Liberty to accept or refuse, according to their good Pleasure; otherwise we must say, that these Elect shall not be carried by God to Salvation and to the Haven: For otherwise, if this were in our Choice, to receive or reject the Faith when it shall be presented to us, our proper Virtue, what would it be? where would be the Foundation of that Certainty which we ought to have? This Proposition is pronounced heretical.

XII. The Means by which we can attain to Life is that sole Satisfaction which our Lord has made for us. This Proposition is declared to be heretical.

XIII. And nevertheless, since this presumptuous incendiary has advanced a false Doctrine, saying, that our Salvation is founded upon our free will; and has said, that we cannot be sa-

[(x) The Sixth Proposition is missing: In the rendering of these Propositions, the Original Words of which, as censured at first by the Faculty, are set down by Du Pin; it was thought ne-

cessary to keep strictly to the literal Sense. If some therefore appear obscure, it is because they are so in the Original.]

ved, except we have a Liberty within us, whereby we may receive the Faith; and that this proceeds from our selves, and not from God; and that God does not give more Grace to some than others. The Proposition opposed to that which in Europe is here reprehended is declared to be heretical.

XIV. 'So we may well conclude, both by this, and, by what we have asserted already, that we do not receive Faith, by our Free-will, but by the Grace of God, which draws us to its self.' The first part of this Proposition is declared to be heretical.

XV. 'All (Men) are lost in Adam; and out of this universal and general Condemnation, it pleased God, by his Mercy to draw out whom he pleased; leaving whom he pleased in the same Condemnation by his Judgment; and those that are under such a Condemnation, can do no other than Evil. This Proposition is pronounced heretical.

XVI. 'I believe the holy Church, that is the present, to which it has pleased God to call me; desiring him to be pleased to keep me in it, that I may live and die therein.' This Proposition is pronounced schismatical, and injurious to the Church of God; and it is observed that it shews the Obstinacy of him that advanced it.

XVII. Is that which we have set down already, with which he concludes this Book: It is declared to be injurious to the Church of God, to the Sovereign Pontiff, and blasphemous against Christ the Spouse of the Church, who has appointed him his Vicar.

Censure against Harnois, a Carmelite. The same Month a *Licenciate Carmelite*, one Harnois, was delated to the Faculty, July 10. some Propositions were read to him that he preached: He answered fiercely; and when he would not submit to the Judgment of the Faculty, he was suspended. The Vicar of the Carmelites Proposed to name two Persons for him, and that the Faculty should name two Persons for themselves, who should determine this Matter with Advice of a fifth. The Faculty made an answer July 17. that it was not reasonable to leave this Matter to two Persons, and that they would determine it themselves.

July 15. some Propositions asserted by a Counsellor in the Parliament of Paris, concerning Faith, the Inamissibility of Righteousness, Confession, Invocation of Saints, the Real Presence, and the Canon of the Mass, were delated to the Faculty, which declared them to be heretical.

Censure of several Heretical Propositions. In the same Day, other Propositions against the Real Presence, preached at Lufon, were condemned.

July, 20. the Deputies made their Report concerning some Propositions asserted by F. Giles Malherus, found in the Sack B. mark'd A. which were censured in the following manner: I. Our Lady was sufficiently exalted, and needs not be exalted any otherwise. This is censured as schismatical, agreeable to the Heresie of *Uigilantism*, and likely to draw the Faithful People of Jesus Christ from the Honour and Praise due to the Virgin Mary. II. The Blessed Virgin felt no Pain when Jesus Christ suffered. This is pronounced heretical; as also the III, the Merits of Men are the pure Gifts of God.

Propositions of Bourdeaux censured. July 19. the Parliament of Bourdeaux sent to the Faculty of Paris five Propositions censured by the Faculty of Bourdeaux, with their Qualifications. The Faculty of Paris found but one which they could censure as scandalous. It receiv'd also five others from the same Quarter, July 25. but without Qualifications, which it censured. They are against Free-will, the Merit of good Works, the Cause of Evil, and the Sacrifice.

Frederic Harnois. Harnois, who has been mentioned already, presented his Petition to the Parliament, to be restored. The Faculty, by a Conclusion pass'd towards the latter End of this Month, commanded his Advocate to be charged to declare only that they had done what they ought; and to desire that they might not be hindered from determining that Affair, as they have a Right to do by the the Laws, and by the ancient Practice which the Court has approved; and that if he be ordered to plead, he may declare he has nothing else to say.

Censure of Propositions advanced at Tholouse. Aug. 1. the Faculty censured some Paradoxes advanced at Tholouse in a Publick Disputation; 'That the Soul is Wind, and a Part of Matter: That Epicurus's Notion, concerning the Supreme Good, may be maintained; that Transmigration of Souls is an Argument for the Resurrection: That Knowledge is only Reminiscence: That the World was never made.

Censure of the Propositions of a Laval, as preached in that Town: some were against worshipping of Saints; against the Doctrine of St. Thomas; against Monks that do not labour with their Hands; against the Necessity of good Works, Satisfactions, Traditions, the Use of Ceremonies, &c.

Upon an Information made against this same Preacher of Laval, who was of the Order of St. Francis, the Procureur

[(a) The whole Anthem, as it was first put under the Picture of the Madonna i. e. The Virgin Mary with the Child Jesus in her Arms, was this:

Salve Regina Mater Misericordiae; Vita, Dulcedo, & Spes nostra, salve. Ad te clamamus exules filii Eva: Ad te suspiramus gementes & flentes in hac Lacrymarum valle: Eja ergo Advocata nostra, illos tuos Misericordes Oculos ad nos converte, & Jesum Benedictum, fructum ventris tui, nobis post hoc Exilium ostende. O clemens! O pia! O dulcis Virgo Maria.

General sent the Propositions contained in that Information to the Faculty; and they also were censured by the Faculty, A. A History pril, 17. 1554, pursuant to the Opinions of the Deputies. of what The Propositions and Censures are these: I. No Man is happen'd the Son of God by outward Works, but by the Works of the Spirit in Europe rit. This Proposition it pronounced captious, and suspected relating to of Heresie. II. 'We borrow from the Pagans and Philo Religion, sophers the Understanding and Exposition of the Holy Scriptures: In their Senate it was ordained, that Images and Statues should be made to represent those valiant, learned, and great Souls; and in Process of Time the Pagans came to make Images, which they adored, thinking there was some Divinity in those Images. The first Part of this Proposition, We borrow, &c. is censured as false, and injurious to Christians: The second, as captiously insinuating, that we ought not to keep Images of Saints, as scandalous: And the third, as captiously also insinuating, that we ought not to honour the Images of the Saints; which is false and erroneous. III. 'He that corrects his Brother Evangelically, and Fraternally, causes him to be in Charity.' The Censure says, this is an Error. IV, 'To blot out our Sins, we ought to ask pardon of God, and have Contrition.' This Proposition looks suspicious, because it says nothing of Confession. V. Is against the Habits of Religious Persons: It is declared to be scandalous and heretical. VI. 'That Vices cannot better be blamed, than by commending the contrary Virtues; and that a Preacher has sufficiently taxed Vices, when he has commended the opposite Virtues, and their Excellencies. This Proposition is declared to be false and heretical.

Aug. 8. 1553, the Faculty censured three Propositions, taken out of an Exposition of the Lord's-Prayer, concerning Satisfactory Works.

Aug. 31. they pass'd a Judgment upon some Books sent Censure of Books sent to them by the Court of Parliament; by which they declar'd, Books sent to them by the Court of Parliament; by which they declar'd, that the French Version of the Psalms ought to be suppress'd; because, by reason of the Obscurity of the Matter, they might lead the Faithful into an Error: That they contain'd Things too crudely express'd, and did not in every thing follow the Latin Version received by the Church. They decreed also the Suppression of two Books which went under Claudius Espenceur's Name; one entituled, A Paraphrase and Meditation upon the Lord's-Prayer; and the other, A Consolation in this Diversity; and declared, that they contained Propositions ambiguous, erroneous, captious, and suspected of Heresie. They ordered also the Version of the Bible and the New Testament to be suppress'd, because they were not agreeable to the Vulgate, and contained Errors; and the Works of Lactantius, in French; not because the Version was unfaithful, but because the Author himself asserted Errors which might mislead the Simple.

In the Assembly of Sept. 6. 1553, they confirmed the Espenceur-Judgment pass'd upon Claudius Espenceur's Paraphrase or Meditation on the Lord's-Prayer; declaring again, that that Book phras'd of printed in French without the Consent of the Faculty, and in the Lord's Contempt of the King's Edict, and containing besides obscure Prayer, and ambiguous Propositions, liable to deceive the Simple and others maimed and suspected of Heresie, ought to be suppress'd. It was resolv'd in the same Assembly, that a Petition should be presented to the King about the Matter of Harnois, who had applied himself to the Parliament.

Dec. 15. the Faculty censured this Proposition: That it belonged to the Secular and Lay Power to appoint the Day and Order of Processions made by the Command of the King and the Sovereign Courts, and also all that is requisite and necessary for that Purpose; to nominate Preachers; to direct the Sermon, and otherwise: And that the said Lay and Secular Power may inhibit Archbishops, Bishops, and Curates of the respective Places, from concerning themselves directly or indirectly, without the Command or Ordinance of the said Secular Power. The Qualifications of the said Proposition are, that it is, in both its Parts, false, scandalous, schismatical, and derogatory to the Authority of the Church.

The same Day the Faculty consulted about another Matter: In the Church of Laval a Picture had been taken down on which the Salve Regina was written, and in its Place a Prayer directed to our Saviour was put, to which the same Epithetes were given that had been attributed to the Virgin in the Salve Regina; only changing the Regina Mater into Jesu Christe Rex, and putting Gloriosissimum Patrem tuum, instead of Jesum Benedictum fructum ventris tui; and instead of Virgo Maria, which concludes the Anthem, Jesu fili Virginis Mariae. (a) The Faculty declared this Change to be rash, scandalous, schismatical, derogatory to the Honour of the Virgin Mary and the Saints, and rendering the Person that made this Alteration suspected of Heresie.

This is a true Taste of Popery. This Prayer still retained in the Church of Rome, in her Solemn Offices, is direct Blasphemy, especially when addressed to an Image of the Blessed Virgin with her Son in her Arms, who consequently is at the same time supposed to be present. And yet when it was turned into a Proper and a Pious Prayer to our Blessed Saviour, then no less a Body than the Sorbonne pronounced it to be Rash, Scandalous and Schismatical.]

A History of what happen'd in Europe relating to Religion. December 18. The Faculty censured the following Propositions, preached at Roſen by John Noel. I. 'The Gospel was never so well preached as it is now: It is lawful and convenient for every Man to read the Holy Scriptures, if he would understand his own Salvation.' The first Proposition is declared to be scandalous and rash, and the second dangerous and pernicious. II. 'Our Lord Jesus Christ gave leave to eat all Flesh every Day, provided there be no Scandal in it.' This Proposition is declared to be false, injurious to Ecclesiastical and Evangelical Discipline, and favouring of the Heresies of Jovinian, the Waldenses, and Luther. III. 'Bishops are but Monsters, and have spoil'd every thing with their Pomp, Avarice and Simony.' This Proposition, thus generally express'd, is declared to be scandalous, rash, and liable to withdraw Men from the Honour and Respect due to Superiors. IV. 'And thou Fuller, Wool-carder, who mindest thy own Salvation, why wilt not thou preach, since we do not preach?' This Interrogation, which insinuates, that the Duty of a Preacher belongs in common to the Laity, is scandalous, schismatical, and derogatory to the Authority of the Church. V. 'The Church ought to be Pagan, and contrary to Christian Kingdoms.' This Proposition is declared to be agreeable to the Error of the Wicklevists, scandalous and pernicious. VI. 'It is necessary for every Christian, that would understand his own Salvation, to read and understand the Holy Scriptures and the Gospel.' This Proposition is judged to be dangerous, pernicious, and erroneous. VII. 'The Holy Scriptures were gone for some Time, but now they are discovered again.' This Proposition is declared to be false, scandalous, and erroneous.

Censure of Sabellat's Propositions. January 13. 1554. The Faculty censured some Propositions taken out of the Apology of one John Sabellat, Canon of Chabres, in answer to the Accusations of his Chapter. The Propositions and Censures are these: Proposition. I. 'The Sect, of the Peripatetics is a most perverse and pernicious Sect out of which the most remarkable Hereticks have arisen, who have from thence taken occasion to dogmatize against the Christian Religion.' The first part of this Proposition is declared to be false and rash; the second, captious, at captiously reprehending the School-Divinity, scandalous and pernicious. Proposition. II. 'Is against Vocal Prayers in a Tongue which Men do not understand: This is condemned, as withdrawing the Faithful from Vocal Prayer; and renewing the Error of the Bohemians, concerning the Celebration of the Divine Offices in the Vulgar Tongue. Proposition. III. Asserts it to be Sacrilege to pronounce otherwise than Paracletus: This Proposition is censured as impious and blasphemous. (b) Proposition. IV. 'No Bishop, Prelate, or Chapter, has any more Power to make Innovations than a particular Canon, where such Innovation would tend to the altering of some Law. Statute, Ordinance, or approved Custom, unless they first conferr'd with their Clergy.' This Proposition is said to be obscure, and the Author seems to contradict himself. The Faculty approved these Qualifications; and declared in general, that this Apology contained Propositions that were captious, rash, deceitful, scandalous, pernicious, schismatical, and injurious to the Church.

Judgement of the Faculty in the Affair of the Jesuites, put off till December. September 1. 1554. Two Businesses were proposed to the Assembly of the Faculty. The first was concerning the Privileges granted by the Popes Paul III. and Julius III. in favour of some Persons who would assume the Name of the Society of Jesus: And the second was about making up the Affair with Harnois. The first was judged to be a Business of great Importance, and upon that account put off to the next Assembly: In the mean time all the Doctors had Orders given them, jointly and severally, to think seriously, and with Application, upon a Matter of that Consequence. As to the Agreement with Harnois, it was concluded, and said, that he should be admitted to make his Oath to the Faculty, and enjoy the Rights of his Doctorship ever since he had received his Cap, provided he could make it appear, by an Attestation signed by six Members of his own House, that he had preached in the manner that was enjoined him by the Conclusion of the Faculty, October 2. 1553. otherwise, that he should make Satisfaction. They desired also to require him to sign a Submission to the Faculty, as to Faith and Manners; and to produce an Attestation of his Life and Conversation. When he refused to do this he was told, that they would not receive him.

Censure of impious Propositions. October 5. The Faculty censured some impious and blasphemous Propositions relating to the real Presence, and the Image of the Crucifix.

October 27. They censured some French Hours, printed by Oudin, and some other heretical Pieces.

December 1. 1554. The Faculty made that famous Conclusion against the Society of Jesus, which we shall set down when we speak of the Institution of that Society.

Conclusion concerning some Customs in the Church of Lyons. April 18. 1555. They made another which made a great deal of Noise, relating to some Usages in the Church of Lyons. The Dean of that Church consulted the Faculty upon the following Articles: I. 'Whether the Custom of some Canons, of reiting one Knee upon their Seat during the Elevation, or

[(b) Fr. La troisième portoie, que c'est un Sacrilege que de prononcer autrement que Paracletus.]

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'kneeling but with one Knee upon the Ground, ought to be tolerated?' To this the Faculty replied, that not to kneel with both Knees upon the Ground, but to lean only upon one Knee, or to put both Knees upon a Bench during the Elevation of the Body and Blood of Jesus Christ, is an intolerable Error, in Europe which can be excused by no Custom in those that do it; and relating to that a Defence of that Practice is arrogant, impious, schismatical, scandalous, and favourable to Hereticks. II. 'Whether when there is a Fault at Mattins, or at the Mass, the solemn Office ought to be stop'd, and said behind the Altar by five or six hastily?' They answer, No. III. 'Whether Men ought to abstain from kneeling when the *Et Homo factus est* is said?' The Answer is, the Deformity ought to be removed, that there may be an Uniformity in kneeling. The Canons of Lyons, enraged at this Censure, complain'd to the King's Council, in Maintenance of their ancient Usages. The Faculty defended themselves; alledging, in their own Excuse, that the Matter of Fact had been wrong represented to them. At last, the Business was made up by the Cardinals of Lorraine and Tournon, upon Condition, that the Name of the Church of Lyons should be erased out of the Conclusion of the Faculty.

Censure of Propositions. August 12. 1557. The Faculty censured fifty four Propositions, Lutheran and Wicklevist, preached by F. Alan Chef-ville, an Augustinian, which were sent to them by the Archbishop of Bourdeaux. They censured also that Monk's Action, in hearing the Confessions of four or five Persons together at a time, and absolving them with one single Benediction: It declared also, that that was a scandalous and schismatical Action, and a manifest Abuse of Sacramental Confession. Chefdeville sent some Explications, which the Faculty censured as insufficient.

The same Day they censured six other Propositions, which had been sent them by Leonard Floreau, Inquisitor of Bourdeaux: They were against the Adoration of the Eucharist; Abstinence from Flesh; Fasting, Feasts, and Confession. The Inquisitor is especially remarkable; the Preacher explaining the Gospel of the wicked rich Man, said, that Hell was nothing but the Place of Burial for the Dead. This Proposition was censured as heretical, and condemned long before.

February 18. 1558. Dr. Espencans came to the Assembly, and was asked, whether he would obey the Faculty, and submit to its Decisions? He ask'd, by what Authority they cited him? They told him, they were in Possession of a Right to cite any of their own Doctors, by vertue of their Oath. Then he promised, that he would obey the Faculty as his Mother.

Censure of Propositions. September 1. A Deputy of the Bishop of Baieux delated to the Faculty some Propositions preached by Giles Bigot, Doctor of Caen: The Faculty censured them the 6th. of that Month. The Propositions and Qualifications follow: I. 'The Church is not built upon St. Peter, but upon Jesus Christ alone.' Censure: Tho' Jesus Christ be the principal Foundation of the Church; yet this Proposition favours the Opinion of the Hereticks of our Time, who deny St. Peter's Supremacy. II. 'The Keys are not promised only to St. Peter, but also to the Apostles equally.' Censure: The second Part of that Proposition is heretical. III. 'The Ministry and Opening by the Keys, is to declare the Gospel and free Pardon of Sins made by Jesus Christ.' Censure: That Proposition is heretical and takes away the Power of the Keys to absolve Sins. IV. 'He will abstain from speaking concerning the Jurisdiction of the Church, and will speak only of the Key of Knowledge, in which consisteth Remission of Sins.' Censure: This Proposition is heretical in the last Part. V. 'It is unlawful to assist when Mass is said by a Concubinary Priest.' Censure: This Proposition so express'd, without any Distinction, is false and scandalous. VI. 'To retain Sins, is when a Man will not believe or receive the Gospel; and Sins are remitted to those that believe the Gospel.' Censure: The Vith. IXth. XVth. XVIIth. XXVIIth. and XXVIIIth. Propositions, which all tend to the same End, are heretical, and destroy the Power of the Keys in absolving Sins. VII. In 1557. when he was preaching upon the Festival of the Holy Sacrament, he said, 'That to eat and drink the Flesh and the Blood of Jesus Christ, is nothing else but to believe that he took Humane Nature, and was our sole Mediator, and suffered and endured for us.' Censure: This Proposition is sacramentarian and heretical. VIII. 'Abraham was justified by Faith alone; and not only he, but we without Works.' Censure: This Proposition is heretical. IX. 'Those that hear the Word of God are absolved from their Sins.' The Censure of this is missing. X. 'St. Peter had no Jurisdiction, nor any other of the Apostles.' This Proposition is declared to be schismatical and heretical. XI. 'A Minister or Bishop, who does not what is in his Power to do, has no Jurisdiction.' (c) Censure this Proposition is schismatical, and heretical, condemned in the Council of Constance. XII. 'A meer Man cannot have the Power, nor can he be the Foundation of the Church.' Censure: This Proposition agrees with the first. XIII. 'Speaking of the Keys, he says, That there is one Key of Knowledge, and another of Jurisdiction, of which I will not speak; I am silent: But I will speak to thee of that of Knowledge, for the Edification of the People. The

[(c) Fr. Que le Ministre, ou Evêque qui ne fait ce qui est en lui, n'a point de Jurisdiction.]

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Censure is missing. XIV. 'Some Ministers aim at more Power and Authority than Jesus Christ and his Apostles.' Censure: This Proposition is rash. XV. 'To bind and unbite, is nothing but to be willing to hear the Gospel, or deny it.' The Censure is missing. XVI. 'We are all Priests, and there is no Distinction.' Censure: This Proposition, asserted without any Distinction, is heretical. The three following are upon the same Subject. The XXth is upon the Eucharist: He says, 'That he would not speak of the Body of Jesus Christ contained under the Species of Bread and Wine, as the Divines call them; but of the Mystical Body, and of the Union which the Members ought to have in one another, and among others in wicked Things.' And concludes, 'That to eat and drink the Blood of Jesus Christ, is nothing but to believe.' This Proposition is censured as heretical and sacramentarian. XXII. Is concerning Justification by Faith alone. The following ones are almost all concerning the Ministry of the Keys, which he reduces to the preaching of the Gospel, and restrains only to good Ministers. The last is, that the Ministry of the Priest is only to declare Sin, but that he does not remit it.

The same Year, one William Maunoury, a Brother of the Trinity or Mathurin, Doctor in Divinity, having preached some heretical Propositions at Paris, was condemned by the Sentence of the Official at Paris, and the Inquisitors, to retract them: That he did in a Sermon preach'd August 28. 1558. and when he brought that Retraction to the Faculty, he desired to be receiv'd. The Faculty scrupled it, till he had signed and communicated to them the Propositions for which he was condemned. It appears by his Retraction, that he had affirmed, that all Men ought to communicate at Mass: That Saints pray only in general for the Faithful: That there is no Purgatory: And that Mass ought to be said in French. He set forth, that he could not get the Propositions for which he had been condemned out of the Officiality; and the Faculty persisted in excluding him till he had more largely cleared himself.

April 4. 1559. the Faculty declared a Book, intituled, *Christian Instruction for Children*, to be pernicious; and appointed Deputies to draw out Propositions out of it: They drew out twelve, which they reported to the Assembly upon the 15th. of that Month; where they were censured, and the Book condemned in the general, as containing several Propositions suspected of Heresy, scandalous, schismatical; Prayers of Calvin's; Omissions in the Confession; Prayers and Intercessions of Saints; Prayers for the Dead; and Ecclesiastical Precepts. That little Book was intituled, (d) *A Method of learning readily and easily to read well and write properly in the French Letter. as also the Manner how to pray to God.* It was Writing by Peter Habert, a Writing-Master; and was printed at Paris the same Year, with the King's Privilege. The Censure blames his Translation of that Commandment of God, *Tu ne feras point d'Idole taillée, Teou fait ne make a graven Idol.* They find fault with his asserting crudely, that Jesus Christ is the sole Mediator and Advocate praying for us, without producing any Explication or Distinction. They censure some Propositions, in which he attributes the Salvation of Man to God alone. They censure him for putting in the Words *Day of Rest*, instead of the *Sabbath-Day* or the *Lord's Day*: And they charge him with favouring of Hereticks, when he says, that nothing ought to be added to or taken from the Scriptures.

June 16. 1559. two Books were presented to the Faculty, for their Approbation; viz. *A Catalogue of Books prohibited by the Pope*; and *Ferus's Commentary upon St. Matthew's Gospel*. For the former, they put off giving their Sentence till it had been read by the Doctors, who were to make their Report: And they determin'd, that the second ought to be suppress'd, as containing Errors and Heresies; and that a Correction was not sufficient, lest under Pretence of that Correction, Copies not corrected, printed in Germany, and at Lyons, might be dispersed.

August 23. the King sent this Proposition to the Faculty: 'Seeing that there are such Doubts and Diversities of Opinions, as well relating to the Holy Sacraments, Constitutions and Traditions of God, and the Catholick Church, as to the Mass and the Consecration of the precious Body of our Lord, we ought to desire a new Council; and in the mean time the accustomed Punishments of Hereticks ought to continue suspended, that every Man may have a freedom of Opinion.' The Faculty made answer, that this Proposition, which ought never to have been debated, is heretical, sacramentarian, very pernicious, confirming of Heresies, overturning the Ecclesiastical and Civil Commonwealth; and that all that defend it ought to be looked upon as Hereticks, Sacramentarians, and Disturbers of the Commonwealth.

Sept. 9. The King sent again several other Propositions to the Faculty, tending to the same Purpose with the former, which were censured likewise in a Meeting of Doctors.

Sept. 13. They censured also some Propositions against Religious Orders, and the outward Service of Religion.

Nov. 27. They censured likewise some Propositions defended by Peter Schœspée in his *Divinity-Act*: There he affirmed, 'That an Unbeliever labours in all his Actions for Hell. This Proposition is censured, as contrary to the Holy Scriptures. II. That all Men shall not die. This also they censured, as contrary to Holy Scripture. III. That the Heavens are animated. This Proposition, which the University of Paris had condemned already, they pronounce to be false, erroneous, and reviving of the ancient Idolatry. The Faculty commanded Schœspée to retract those Propositions. This Bachelor would not particularly revoke that Proposition which related to the Actions of Unbelievers: So they excluded him out of their Body for two Years; and at last, he still persisting in that Retusal, was entirely rejected.

We shall say nothing here of the Censure of the Propositions of *Batus*, which was made June 27. 1560. because it is inserted in that Author's History.

October 26. The Faculty censured some impious Propositions which had been sent to them by a Canon of *Besançon*, viz. Next Year, in January, they drew up a Catalogue of some French Books which ought to be suppress'd.

April ult. They censured the following Propositions, taken out of a Book written by Francis Grammaud, the King's Advocate at Angiers, intituled, *A Remonstrance to the States of Anjou*; printed at Paris, in 1560. I. 'The Council of the Church ought to be understood as composed of all its Members, i. e. a general Assembly of all Christians. II. Consequently this Question belongs to Christian Princes, Bishops, and People in general. III. Now ancient Kings and Christian Princes have look'd upon it as expedient and necessary to require a Council of *Christendom*, when, by Schisms and new Opinions, Religion has been polluted and divided. IV. Now in Matters of Religion there are two Sects; one, of those that live under the Obedience of the Church of Rome; the other, of those who call themselves *Evangelists*. V. And these two are so populous, that 'tis a Question which is most numerous. VI. The second Point of Religion is the Sacerdotal Policy, upon which Christian Kings and Princes have Power to redress it, to set it in order, and to reform it when it is corrupted. These Propositions are censured; most of them as schismatical, and the fourth and fifth as heretical.

August 5. The Faculty censured several Propositions taken out of a Charge made by the Bishops of *Valence* and *Dreux*, given to his Diocess, printed at Paris. The two first glance indirectly at the Worship of Images. The third is censured, for affirming, that a Confessor ought to oblige a Penitent, who has not wherewithal to make Restitution, to give notice of it to him to whom he has done the Wrong, to ask his Pardon, and to beg his Leave to restore him what he has taken from him, when God shall give him Ability. The fourth Thing which they censure in that Book is, that when he speaks of all the different sorts of Prayers, he says nothing of that which is put up in the Church for the Dead, but ends with those which are made for Men in the Agonies of Death. They reprehend that part of the fifth, which says, that those who are guilty of Crimes ought not assist at the Holy Mysteries, as False. The sixth is a new Form in French, of administering the Eucharist, which they judge to favour the Errors of the Lutherans. The seventh is an Exhortation to a dying Man, which they censure as Suspicious, because it says nothing of Satisfaction and Purgatory. In general that whole Book is censured, as containing Propositions False, Schismatical, Erroneous, Heretical, full of Omissions of necessary Things, such as Confession, Confirmation, Order and Commandments of the Church, Worship of Saints, Prayers for the Dead; and the Faculty judges it to be pernicious, and that it ought immediately to be suppress'd, instead of being put into the Hands of his Flock to be read, or recommended to his Clergy, as the Bishop of *Valence* had done. The Faculty censured several other Propositions besides, taken out of that Bishop's Sermons, as favourable to the Doctrine and Maxims of the Innovators. The Truth is, a good Sense may be put upon most of them, but the Time and the Person rendred them suspected.

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October 26. They censured the following Propositions. ' I. The Death and Passion of our Lord has blotted out the Sins committed before his Passion; but if we would blot out our own Sins, we must sacrifice daily.' Censure: The first part lessens the Effect of the Death and Passion of Jesus Christ; and the Second is heretical, inasmuch as it distinguishes the unbloody Sacrifice from the Sacrifice of the Cross as different. ' II. The Passion of our Lord profited only those who died before his Coming, Death and Passion, and not those that came afterwards.' Censure: This Proposition is Heretical and Blasphemous in both its Parts. The III. is the same, and censured in like manner.

What passed in the Faculty in the Years 1566 and 1567, concerning *René Beaulieu's* Translation of the Bible, has been mentioned elsewhere.

March 1. 1571. The Faculty censured several Propositions taken out of a Book, Entituled, *Theatrum vite humane*, begun by *Lycosthenes*, and finished by *Theodorus Zuingerus*, a Physician at *Basil*. They say, that that Work contained several Historical Facts, false and injurious to the Pope and the Church.

Under the Title of *Maldonat*, we shall give an Account of the Proceedings of the Faculty against that Jesuite, in 1574. in *Defence of the Immaculate Conception of the Virgin*.

The Registers of what pass'd in the Faculty, during the remainder of this Century, are lost; and there is no reason to lament the Loss of what pass'd in a Time when the Faction of the League governed *Paris*; and the good Doctors, the King's Servants, and Defenders of the ancient Doctrine of the Faculty, were banished, or durst not appear, in a time, in short, when the Intrigues of Seditious and Rebellious Persons took all Liberty away from that Body.

The French *Parliaments* however, and the Registers of *Parliament*, have still preserved the Memory of what pass'd in the Faculty, upon occasion of a Proposition maintained upon Dec. 6. 1561, by *John Tanquerel*, Bachelor in Divinity, drawn up in these words, ' The Church, of which the Pope, Jesus Christ's Vicar, is the sole Monarch, who has a spiritual and secular Power over all the Faithful, can deprive Princes, that rebel against its Orders, of their Kingdoms and Dignities.' The Court of *Parliament* being inform'd, that *Tanquerel* had defended his Proposition in *Harcourt-College* in his *Public Divinity-Lect*, sent for him; upon Examination he own'd, that he had maintained that Proposition, and declared, that he was sorry for having done it; and having signed that Declaration, he absconded, fearing the Consequences of that Affair. Afterwards the *Parliament* made an Order, that, in pursuance of his Declaration in his Absence, the *Beadle of the Faculty* should in a full Meeting of the Faculty, declare before one of the Presidents, and two Counsellors of the Court, and the King's *Procurer-General*, in the

Name of the said *Tanquerel*, that he was sorry he had defended such a Proposition; that he had held and disputed it indifferently and inconsiderately; that the contrary was certain, and that he most humbly begg'd of his Majesty to pardon his Offence, which he had committed in maintaining the said Position; and when this was done, That the Doctors and Bachelors should be forbidden to hold such Positions for the future; and that Two out of their Body should be deputed to go to the King to ask Forgiveness. This Order was made Dec. 1. 1561, and upon the 12th instant, the President de *Thou*, two Counsellors, and *Bourdin* the King's *Procurer-General*, went with the Notaries of the Court, and a Serjeant, to the Meeting of the Doctors of the *Sorbonne*, where the *Procurer-General* made a Speech to the Assembly, concerning the Danger of this Proposition; and then the Order of the Court was read, and put afterwards in Execution. The *Beadle of the Faculty* read the Declaration in *Tanquerel's* Name, upon his Knees, with his Head bare. The President commanded the Doctors to suffer no such Propositions to be held for the future, upon pain of a hundred Marks of Gold Fine, and Deprivation of Privileges; and Two out of that Body were commanded to be deputed to the King; who was assured by *Nicholas Maillard* the Dean, that the Faculty was always very obedient to the King and Court; and that it would behave it self so, that the King and Court should be contented with it.

In 1595. an *Augustinian* Monk, one *Florentine Jacob*, having given out his Question for his *Public Act*, which he was to keep under *Master Nicholas Blanzey* Doctor in Divinity, Principal of *Calot College*, in which he affirmed with *Tanquerel*, that the Pope had Authority in Temporals and Spirituals, and the Power of the two Swords; the Court arrested the Bachelor, and the President of this Question; and, after Examination, sent for the *Syndic*, and declared those Propositions to be false, schismatical, and contrary to the word of God, to the holy Decrees, canonical Constitutions and Laws of the Kingdom, tending to Rebellion, and the Disturbance of the publick Peace. *Jacob* was condemned to be carried from the Prison to the Great Hall of the *Sorbonne*; and there before the Dean, *Syndic*, Doctors, Licentiates and Bachelors, upon his Knees, *Blanzey* standing by him, with his Head uncovered, to say, and declare, " That he had rashly and indifferently composed and published the said Positions to be disputed and defended by him in his *Great Course Act*; of which he repents, and begs Pardon of God, the King and Justice." The Propositions were then torn to pieces, and the Bachelors were forbidden to compose, and present any such like, and the Doctors to suffer them. This is all that we have left of what pass'd in the Faculty of Divinity of *Paris*, during the Sixteenth Century.

CHAP. XI.

Religious Orders, Congregations and Reformations, set up in the Sixteenth Century.

THE Sixteenth Century was not only an Age of Reformation in the Secular Ecclesiastical State, but also in the Monastical. Some Members of the Mendicant Orders, under a Pretence of reviving their ancient Fervour, and their first Discipline which was relaxed, raised several Reformations, which formed in a manner so many different Orders. That of St. Francis, which was always more fruitful than any of the rest, in several sorts of Habits, and Observations of their Rule, produced three new Branches; the *Capuchins*, the *Recollets*, and the *Penitents*. The *Augustinians* produced one, that of the *Hermites of St. Augustine*; and from the *Carmelites* came the Congregation of those whom they call *Discalceates*. I remit that of the Reformed Dominicans or *Jacobins*, and that of the *Discalceate Augustinians*, because they belong to the XVIIth Century.

This Spirit of Reformation divided the Religions of St. Francis's Order long before this Century: Ever since the Year 1250, some Members of that Order boasted of being more exact Observers of their Rule than the rest. The Authority of their General alone put a stop to them then; but that Reformation began again in the beginning of the next Century; those that desired to go into it, petitioned for, and obtained particular Convents, in which they might live suitably to their own Reformation; but Innocent VIII. revoked that Privilege. There remained however in the Body of the Order, several of those Reformed, who finding themselves ill used by the General and the Superiors of the Order, recurred in 1415 to the Council of *Constance*, which granted them a free Exercise of their Reformation, and a particular Vicar-General. From that time the *Franciscans* were divided into *Conventual Friars*, and *Friars of the strict Observance*; these also being

divided yet farther into different Reformations. *Leo X.* commanded them all to be reduced under the single Title of Reformed.

Still there were some of these Friars, who affected to live more austere than the rest, and to observe the Letter of the Rule, pursuant to the Declarations of *Nicholas III.* and *Clement V.* In 1531, P. *Clement VII.* commanded the Superiors of their Order to assign them Convents, in which they gathered all those who according to them had a Spirit of Piety and Recollection, who for that Reason were called *Recollets*. This Reformation began in Italy, and was carried into France about the Year 1584. The Towns of *Talles* in *Limousin*, and *Murat* in *Auvergne*, were the first in France, in which they had Convents assigned them. In 1601, they were at *Paris*; now they have near 150 Houses in the Kingdom, which are divided into seven Provinces.

The Founder of the *Capuchins*, was a *Franciscan Friar* of the *Observance*, one *Matthew de Basci*, of the *Duchy of Spoleto*, a Friar of the Convent of *Montefalcone*, who believing firmly that God had called him to exercise a greater Poverty, and that he had shew'd him the true Habit of St. Francis, took a long corner'd Hood, and retired into a Desert with the Pope's Leave. Some others, driven by the same Spirit, joined him, to the number of twelve. The D. of *Florence* gave them a Hermitage in his own Territories, and so by little and little their number increased. In 1523, P. *Clement VII.* approved of their Congregation, by the name of *Friars Minors Capuchins*. In 1536, *Paul III.* confirmed them, with a Permission to settle every where, and gave them a *Vicar-General*. They were received in France in *Charles IXth's* time, and had their first Convent at *Meudon*.

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A History of what happen'd in Europe relating to Religion. don, which the Cardinal of Lorrain built for them. King Henry III. gave them a Convent in Paris, in the *Fauxbourg* of *St. Honoré*. They have nine Provinces in this Kingdom, and above four hundred Convents.

Penitents or Picpus-tes. Those of the third Order of *St. Francis*, who are called *Penitents*, were at first only a Congregation of Seculars of both Sexes. Some time after they became Regulars; after that, being become extremely relaxed, a Friar, one *Vincent Massart*, a *Parisian*, undertook to reform them about the Year 1595. The first Convent of this Reformation was built at *Franconville*, between *Paris*, and *Pontoise*; the Second, in a place called *Picpus*, whence these Friars are commonly called *Picpusses*. This Order is divided into four Provinces, and has about sixty Convents.

Discalceate Carmelites. Prince *Eugene IV.* thinking it convenient to mitigate the Rule of the *Carmelites*, that Mitigation threw them into too great Looseness; upon which, *St. Theresa*, a Nun of that Order in the Convent of *Avila* in *Castile*, the place of her Birth, reduced them to their first Austerity; She began with the Women, for whom she built a Nunnery at *Avila*; then she undertook also to reduce the Men, being assisted by two Religious *Carmelites*, who founded the first Convent of *Discalceate Carmelites* near the same City. *P. Clement VIII.* separated them from the mitigated ones in 1593, and allow'd them to have a province apart, and to chuse their Superiors by themselves, upon Condition only to acknowledge the General of their Order. There were none in *France* till 1605.

Hermits of St. Augustine. The Reformation of the *Hermits* of *St. Augustine*, called *Little Fathers*, was instituted in the general Chapter of that Order, held at *Madrid* in the Year 1588. From thence some went to settle in *Italy*, and from *Italy*, Six or Seven of them were carried into *France* in 1595, by *William D'Aranson* Archbishop of *Embrun*, who lodged them in the Priory of *Villas-Bonot* in *Dauphiné*. They were settled at *Paris* in 1609, in the *Fauxbourg* of *Germany*, where *Queen Margarete* built them a Convent, which they afterwards left to the *Reformed Augustinians*, that they might go and settle near *Mont-Martre-Gate*.

Brothers of Charity. The Brothers of Charity were instituted by *St. John de Dieu*, Native of *Evora* in *Portugal*, a simple and an illiterate Man, but one that was inflamed with a charitable Zeal for assisting poor People that are sick. He began this Congregation in 1570; *Pius V.* approved it by his Bull of *Jan. 1. 1572.* *Clement VIII.* confirmed it, and *Paul V.* erected it into a Religious Order, and restrained them to the three usual Vows, and to a Fourth, to serve the Sick, but under the Dependence and the Correction of their Ordinaries.

Feuillants. The Congregation of the *Feuillants* is a Reformation of the *Cistercians*; it was made by *John de la Barriere*, Abbot of *St. Mary des Feuillans* in the Diocese of *Kieux*, near *Toulouse*. Having kept that Abby in Commendam for some time, he turned Monk in 1553, and went to live in his own Abby, where he led a very austere Life: The old Monks, who would not embrace it, withdrew; so he took in Novices, and his Reformation was approved in 1586, by *Sixtus V.* and erected into a Congregation in 1589. *Henry III.* gave them a Convent in *Paris* in 1587, whither *John de la Barriere* brought sixty of his Monks. They went barefoot, living only upon Herbs, and practised a surprizing Austerity. Their Constitutions were not drawn up, put in writing and approved, till the general Chapter in 1595. This Congregation was afterwards divided into two by *P. Urban VIII.* in 1630, who separated the *French* from the *Italians*, and gave them two Generals.

Theatines. Every Age, and every Generation, having a particular Religion, and particular Production; this Age was very fruitful in Congregations of Regular Clerks. That of the *Theatines* was the first; it was so called from *John Peter Caraffa*, Bishop of *Theati* in the Kingdom of *Naples*, who was the most Illustrious of those that first went into it; and was afterwards raised to the Papacy by the name of *Paul IV.* It began by the fervour of some Ecclesiasticks, who seeing the Disorders of the Clergy, form'd a sort of Society to live retired and in common, in imitation of the Apostles; of this number, were *John Peter Caraffa*, *Caetan* or *Thiena*, afterwards Canonized *Marcellus Cajetanus*; *Paul Consiliari*, and *Bonifacio de Colle*. *P. Clement VIII.* approved it in 1584. This Order has several Houses in *Italy*. It did not come into *France* till the Year 1644.

Somasques. *Jerome Emiliani*, a Noble *Venetian*, in the Year 1530, founded some Regular Clerks called *Somasques*, from the name of the place where they lived, between *Milan* and *Bergamo*. The Design of this Congregation was to breed up Orphans. It was confirmed by *P. Paul III.* in 1540.

Barnabites. The Founders of the Order of *Barnabites* were three *Italian* Gentlemen, *James Anthony Mongias*, *Bartholomew Ferrera* of *Milan*, and *Francis Maria Zachary* of *Cremona*, who were instructed by a famous Preacher, one *Serafino*, who advised them to read *St. Paul* constantly, from whence they were called *Clerks of St. Paul*: They were also called *Barnabites*, because they perform'd their first Exercises in a Church dedicated to *St. Barnabas*. Their Institution was approved by *Clement VII.* in 1523. They were called into *France* in *Henry IV.*'s time, to assist in the Mission of *Bearn*.

But of all the Orders which were founded in the XVIIth Century, none spread and multiplied so much, as that of the *Jesuits*. Their Founder was *Ignigo* or *Ignatius Loyola*, of what who was born in 1491. in the Province of *Guipuscoa* in *Spain*. His Father *Bertram* Lord of *Oguez* and *Loyola*, and *Mary Sone* his Mother, had five Daughters and eight Sons. The youngest of all these was *Ignatius*; he was bred up in the Court of *Ferdinand* King of *Spain*, in the Family of *Anthony Manriquez*, [Duke of *Najara*land,] Grandee of *Spain*. In his Youth he was of a Martial Temper, and gave Proofs of his Courage in the Siege of *Pampelona*, where he was in the Year 1521. That Town being besieged by the *French*; *Ignatius* was one of those that signalized themselves most in the Defence of that place; he was wounded there with a Cannon-Ball, which shatter'd his Right Leg, and he was taken Prisoner by the *French*, who used him civilly, and got him dressed, and carried to *Loyola*. He was long in the Surgeons Hands, and suffered much, because his Leg being ill set, he would have it put out again, and then had a Piece of a Bone sawed off which would have made him deformed. While he lay ill, he read some Books of Piety, which occasioned his first Resolutions of giving himself wholly up to God. As soon as he was cured, he undertook a Pilgrimage to our *Lady of Montserrat*, in *Catalonia*; where he devoted himself to the Service of the Virgin, and took up a Resolution to travel to *Jerusalem*. As he went to *Montserrat*, he met a *Morisco* upon the Road, who affirmed to him, that *Mary* did not keep her Virginity after she was delivered. *Ignatius* could not hear that Proposition without Horror, and disputed it long with him; at last, when the *Morisco* had left him, *Ignatius* being spurred on by an indiscreet Zeal, followed him with his bridle upon his Mules Neck, with a Design to kill him, that he might revenge the Virgin *Mary's* Honour; and he had done it, if by good luck his Mule coming at a forked way had not taken the Road which the *Morisco* was not in. When he was near *Montserrat*, he disguised himself with a large Woollen Garment like a Sack, girded with a Cord, and a Stick in his Hand, and a Gourd by his Side. When he was come to our *Ladies of Montserrat*, after he had been confessed, and had received the Communion, he thought of a new Ceremony of consecrating himself to the Virgin, by imitating what we read of in Romances of Knights-Errent, watching all Night in their Arms before they are created: Accordingly he put off his Clothes, and gave them to a poor Man, clothed himself in his Sack, and girded himself with a Cord, with his Stick in his Hand, and his Gourd by his Side, with one Foot shod with a Shoe of *Mars*, the other naked, and in this Equipage he presented himself before the Altar of the Virgin, and hung up his Arms, and pass'd all Night, of *March 24, 25. 1522*, without sleeping, standing sometimes, and sometimes upon his Knees, and so enlisted himself in the Sacred Service of the Virgin. This being done, he went on Foot very early in the Morning away for *Manresa*, where he stay'd a Year among the Poor of that Hospital, begging his Bread from Door to Door, fasting with Bread and Water, disciplining himself three Times a Day, lying upon the Ground, and practising all manner of Austerities. He was assaulted also with divers Temptations, which he overcame, and with a long Illness, of which he was cured at last. It is believed, that he there writ his *Spiritual Exercises*, which he afterwards review'd, and published at *Rome* in 1548. *Constantine Cajetan*, a Monk of the Congregation of *Montcassin*, affirms, That that Book was written by one *Garcias Gixerot*, a *Benedictine*, but the Arguments which he brings to prove his Assertion, are not solid. *Ignatius's* stay at *Manresa* did not make him quit his Design of travelling to *Jerusalem*; but he would not undertake that Journey till he had got the Pope's Blessing, and so he went to *Rome*, where he saw *Adrian VI.* and after that he embarked at *Venice* for *Jerusalem*, *July 14. 1523*, and arrived there *Sept. 4.* When he had visited the Holy Places, and perform'd those pious Exercises which Pilgrims are wont to perform, he returned to *Venice*, and went from thence to *Genoa*, where he embarked for *Barcelona*. In that City it was that he began to study the Grammar first, at the Age of 33 Years. It is not hard to conceive what Difficulties and Uneasinesses he must go through in learning the Rudiments at that Age; however, he did so much by his Labour, that at two Years end he was judged to be capable of learning other Sciences. He went therefore to *Alcala* in 1526, where he went through his Course of Philosophy and Divinity with small Success, because, as *Maffei* observes, he made too much haste, and observed no Order; and studied several different Things at one time, reading what they call the *Terms* in *Logick*, *Albertus Magnus* in *Physicks* and the *Master of the Sentences* in *Divinity*; and hearing several Professors every Day. Besides, he was taken off from his Studies not only by his *Spiritual Exercises*, and the Charitable Offices which he did in the Hospital where he lodged; but also by being obliged to beg his Bread, and by the Instructions which he undertook to give the People. *Ignatius* had then four Companions, *Arriaga*, *Callistus*, *Cazeres*, and a Young *Frenchman*, who were all clothed like himself in a brown

A History of what happened in Europe relating to Religion. brown woollen Habit, and applied themselves to the same Exercises. The noise of their extraordinary way of Living, and of their Preaching being got to Toledo, the Inquisitors of that City went to Alcala, and took Informations of the Conduct and Doctrine of Ignatius and his Companions, and finding nothing of moment against them, they left the Commission with John Figueroa, the Archbishop's Vicar, to end the matter as he should judge convenient. Figueroa went to the House where Ignatius and his Companions lodged; examined them, informed himself exactly of their manner of Living, and contented himself with forbidding them to wear all the same Habit. In the mean time the number of those, who came to hear Ignatius's Instructions, daily encreasing, the Archbishop's Vicar gave in Informations afresh against him, because a Widow and her Daughter, who were under St. Ignatius's Direction, undertook to go a long Pilgrimage barefoot; for though Ignatius had dissuaded them from doing it, yet he was accused of giving them that indiscreet Advice, and upon that pretence was seized upon, and imprison'd by the Grand Vicar's Order. He was no sooner there, but there was a great Concourse of People that came to hear him. At seven Days end, the Grand Vicar went to the Prison with a Notary, and examin'd him; and having understood from him, that he had neither counselled nor approved of the Pilgrimage of these two Women, he let him know, that he was imprisoned because he was accused of having advised them to undertake it. These Ladies being come back, and having entirely acquitted Ignatius, the Vicar gave Sentence, enjoining him and his Companions to go clothed like the other Scholars, and to abstain from talking concerning Religion to the People, till he had studied four Years in Divinity. Ignatius could not submit to the last of these Conditions without great Difficulty, and retired to Salamanca, where he continued to discourse in private and publick upon Moral Subjects. It was taken very ill, that Men who had no Letters, no Learning, and no Character, should thus exercise the Function of Apostles. The Dominicans therefore got Ignatius and his Companion Calistus into their Convent, and when they had kept them there, they deliver'd them to Officers, who, by the Bishop of Salamanca's Vicar's Order, made them close Prisoners, apart from one another. The Grand Vicar had Ignatius's Book of Spiritual Exercises examin'd, and various Questions were put to him concerning the Mysteries of our Faith. They found no harm in his Book, and he satisfied them in the Questions which they asked him; however they passed the same Sentence which had been passed before upon him at Alcala, that he should abstain for four Years from passing any Decisions upon the Quality of Sins. All these Contradictions, which he underwent in Spain, made him resolve to go to Paris, and so he went along from Salamanca on foot to Paris, whither he came in February 1528, with a firm Resolution to study hard there. He began the Principles of Grammar again in Montagu College, and was not ashamed, at thirty seven Years of Age, to put himself in the same Form with the little Boys. His extream Poverty forced him to have recourse to the Charity of the French, and of Foreigners, while he stay'd in St. James's Hospital, from whence he went to Montagu College. After having studied eighteen Months in Humanity in that College, he undertook to go through a Course of Philosophy in St. Barbara's College. His Zeal for instructing others, and for prescribing to them Exercises of Devotion, drew Troubles upon him at Paris, as well as at Alcala; for he was informed against to Matthew Ory, the Inquisitor, for attempting to preach, and he had like to have been whip'd in St. Barbara's College-Hall, upon an Accusation, that he took the Schollars off from their Ordinary Studies, and overturned the Discipline of the College, with the Exercises of Devotion which he inspired them with: He got however over that Difficulty, and spoke to Anthony Govea (e) the Principal of the College, with so much Wisdom and Humility, that that Principal, instead of punishing him severely, threw himself at his Feet, and asked his Pardon. Notwithstanding all these Crosses, St. Ignatius went through his Course of Philosophy, and studied Divinity afterwards, and form'd a Society of ten Men, who engaged in a Vow along with him, which they took in Montmartre Church, August 15. 1534. These first Companions of St. Ignatius were, Petrus Faber, of the Diocese of Geneva; Francis Xavier, a Navarrais; James Lainez of Saguntum, [says Maffei, but of Almazan says Ribadeneira, and from him Nicolas Antonius] Alfonso Salmeron of Toledo, Nicolas Bobadilla of Palencia, and Simon Rodriguez a Portuguese; to whom, some time after, came in Claudius Jains, and John Codurins of Geneva, and Paschasius Broetus of Embria. The Vow which they made, after they had been confessed and had communicated in the Church of Montmartre, was, that when they had finished their Course in Divinity, they should renounce the good Things of this World to live poorly, and to labour after the Glory of God, and the Salvation of Souls; that they should go and preach the Gospel to Infidels; and that in case that Resolution could not be ex-

ecuted, that they should present themselves within a Year before the Pope, and offer him their Service without any Restriction, to do every thing about which he should employ them. This Vow they renewed twice together upon the same Day in the same Place. Ignatius having finished his Divinity Course, was made Master of Arts in 1532. After that, falling Sick, he went to take the Spanish Air, by the Advice of his Physicians, in Nov. 1535. There he found, that his four ancient Companions had taken very different Courses. Calistus was become a rich Merchant, by trading to the Indies; Cazeres lived a Life of the World; Artiaga was made a Bishop; and the young Frenchman was turned Monk. Having stayed some time in Spain where he continued to preach, he embarked for Venice, which was the Rendezvous of his new Companions: They met there in the beginning of the Year 1537, in the Habit of Pilgrims, with a Sack at their Backs, in which was their Bible and their Breviary, and every one his Beads about his Neck. Now they being engaged by their Vow to go to Jerusalem, they prepared for their Journey; but they did not think they ought to go till they had gotten the Pope's Leave, and received his Blessing. They went then all to Rome, except St. Ignatius, who stay'd behind at Venice to get ready the Necessaries for their Voyage; and having easily obtained what they asked of the Pope, they returned to Venice to embark there; but the War then breaking out between the Turk and the Venetians, they could not find an Opportunity to go into the Levant. That they might not therefore stay there waiting for that, and doing nothing, they spread themselves about among the Cities of the Venetian State, where having preached, they all met again at Vicenza, from whence Ignatius, Lainez and Salmeron, were deputed to go to Rome to offer their Services to the Pope. Ignatius and his Companions were then all Priests. It is said, That as they were upon the Road, near Rome, Ignatius had a Vision, in which he seemed to see the Eternal Father, who recommended them to his Son; and that Jesus, who bore his Cross, turned towards Ignatius, and said to him, *I will be favourable to thee at Rome.* His other Companions quickly joined him in that City, and being altogether, in Lent 1538, they continued their usual Exercises there, of Instructing and Preaching. They met with Adversaries there, who formed several Accusations against them; but the Governor of Rome being commissioned to examine into the Matter, declared them innocent by a formal Sentence. Then Ignatius formed his Design of founding a Society, entirely, which began to grow more numerous. After many Deliberations, it was judged convenient to add to the three ordinary Vows of Chastity, Poverty and Obedience; a fourth Vow to go into all Countries, Christian or Infidel, whither his Holiness would please to send them. The Pope, to try them, asked St. Ignatius, to help him to Workmen out of his Society, whom he would employ. The King of Portugal also desired some of them, whom he might send into the Indies to preach the Gospel. St. Ignatius pitched upon Rodriguez and Xavierius for that Business. At last St. Ignatius proposed to Pope Paul III. whilst he stay'd at Trivoli, to approve his new Society. The Pope left the College of Cardinals to examine into the Matter. Some, and among others, Cardinal Giudice opposed this new Institution vehemently, not thinking that it was for the good of the Church to encrease the number of new Orders, which was too big already; however they yielded at last, and Pope Paul III. gave them a Bull dated September 27. 1540. by which he approved of the Institution of this Society, which desired to be called the Society of Jesus, of their Vows, their Exercises and their Form of Government, according to the Draught that had been laid before him; but upon Condition, that their Number should never exceed Threescore: But by a second Bull, dated March 14. 1543, he took away that Limitation, and gave them a Power of admitting as many Members as they had a mind, with Liberty of making particular Statutes, and altering these they had already, as they should judge convenient. St. Ignatius was created General of this new Order, in Lent 1541. They obtained several Pilgrimages of P. Paul III. and a Faculty of having Spiritual and Temporal Coadjutors, who should be bound only by the three simple Vows. Julius III. confirmed their Institution by a Bull of July 21. 1550, and Privileges by another of October 22. 1552. The Society was no sooner approved by the Pope, but it spread in a short time over all the Countries of the World, whither St. Ignatius sent Companions whilst he stay'd at Rome, from whence he governed his whole Society. Rodriguez and Xavierius were sent into Portugal. Xavierius went on into the Indies. Faber or Faure had Germany for his Share. Arajoz went into Spain. Lainez, Jains, Broetus (f) and Bobadilla, divided Italy among them. Egnia was sent with some young Companions into France, where he lodged at Paris in Lombardy a College. Salmeron and Broet went as far as Ireland and Scotland. Canisius was called into Bavaria, and went afterwards into Poland. Some Missionaries also out of that Body were

[(e) Maffei and Ribadeneira, in their Lives of Ignatius, call this Man James Govea, not Anthony.]

[(f) This must be a mistake. Broet went into Ireland, as we see by and by; and that Broet did go into Ireland, we know from V O L. III.

Ribadeneira; and that when he could do little good there, he went into France, for which Province Ignatius seems first to have designed him.]

sent into the new World. In 1550, St. Ignatius proposed to lay down his Generalship; but his Companions would not yield to it, and chose him anew: So he kept that Post to his Death, which happened July 31. 1555.

After St. Ignatius was dead, Lainez was chosen Vicar General, till they could proceed to the Election of a General; in order whereunto, they called a Congregation, which could not be held till the Year following, and that too to no purpose, because the Spaniards being not allowed to go to Rome, they were forced to put off the Election to another Meeting. There were then but five of the first Companions of St. Ignatius left; Lainez, Salmeron Broet, Rodriguez and Bonadilla. This last, who was an enterprising Man, complained loudly, that Lainez assumed all the Authority, and demanded to have the Society governed by the five ancient profess'd Members, who were named in the Pope's Bulls. He drew over to his Party, Rodriguez Broet Viola and Adriano: This caused a Dispute among them, which went very high, and was carried before Cardinal Carpi. That Cardinal ordered Lainez to continue to govern the Society as before, but with the Advice of other ancient Companions of St. Ignatius and the profess'd Members. Lainez was accused at the same time to the Pope, of designing to hold an Assembly in Spain for the Election of a General. Pope Paul IV. declared, that it ought to be held at Rome, and forbad the Jesuites to leave the City. The Spaniards and Portuguezes found ways at last to get to Rome, and the Assembly was held there in 1558, in which Lainez was chosen General. When the Election was over Cardinal de Trani declared to them in the Pope's Name, that his Holiness disliked two Things in the Institution of their Society: First, that they did not recite the Canonical Hours in the Quire: Secondly, that their General was for Life. The Assembly however made no Alterations, and answered, that they took them both to be for the Advantage of the Society: declaring at the same time, that they were all ready to do what the Pope should command them, as Children of Obedience. The Pope was very angry at this Reply, and received Lainez and Salmeron very ill when they presented themselves before him. He insisted particularly upon their reciting the Canonical Hours, and said, He would make them do it; cursing that Study, which served them as an Excuse for not reciting the Divine Office. These are the Jesuite Orlandinus's own Words, *Execrans Studium per quod Divinum Officium ommitteretur*. Lainez excused himself the best he could, and pacified the Pope at last. His General having governed the Society for eight Years and a half, died Jan. 19. 1565. He was succeeded by Francis Borga, who died in 1572. The fourth General was of Liege, one Eusebius Mercurianus, who was succeeded in 1581, by Claudio Acquaviva, who kept that Place till 1615.

The Jesuites assume neither the Name nor Quality, nor way of Living of Monks: They call themselves an Order of Priests, and take the Name of the Society of Jesus. They differ not from other Churchmen in their Habit or way of Living. The End of their Institution is the Salvation of Souls; they preach; they teach Youth; they confess and assist the Sick; they read Lectures; they dispute against Heretics; they write; in a Word, they profess to employ themselves in every thing which they think can contribute to the Good of their Neighbour, and the Glory of God. They recite no Regular Office within the Choir. The entire Society is composed of four Sorts of Members, Novices, Scholars, Spiritual and Temporal Coadjutors, and profess'd Members. The Novices continue for two Years, after which they are admitted to make three simple Vows in their Superiors Presence. The Scholars add some spiritual exercises to their Studies. The Spiritual Coadjutors assist the profess'd Members, and perform the same Functions. The Temporal Coadjutors make the simple Vows, and are according to them the true Monks, and take care of their Temporal Business. The profess'd Members make four solemn Vows: All that have made only the simple Vows, may be sent back by the General, and then they are acquitted of their Vows, because they made them only that they might stay in the Society, and consequently are bound by them no longer than their Superiors think fit to keep them. They have profess'd Houses for their profess'd Members and their Coadjutors; Colleges for Scholars and Coadjutors; and Houses of Probation for their Novices. The profess'd Houses can have no Revenue; Colleges and Noviciates may, which is taken care of by the profess'd Members. For their Government, they absolutely depend upon their General, who is chosen by the Provincials, and two profess'd Members out of every Province: He has four Assistants to be his Council, who may admonish and reprove him; and even in case he commits any considerable Misdemeanor, may call a General Assembly to depose him. This General appoints Rectors and Superiors of Houses, Provincials, Visitors, Commissaries, and governs the whole Society despotically.

It is surprizing how much this Order multiplied in a short time. In 1543, the Jesuites were eighty in all; in 1545, they had but ten Houses; in 1549, they had two Provinces, one in Spain and another in Portugal, and twenty two Houses, in 1556, when St. Ignatius died, they had twelve great Pro-

vinces; in 1608, Ribadeneira reckons twenty nine Provinces, two Vice Provinces, twenty one profess'd Houses, two hundred ninety three Colleges, thirty three Houses of Probation, ninety three (e) other Residences, and (f) ten thousand five hundred and eighty one Jesuites. And in the last Catalogue which was printed at Rome in 1679, they reckon thirty five Provinces, two Vice-Provinces, thirty three profess'd Houses, five hundred seventy eight Colleges, forty eight Houses of Probation, eighty eight Seminaries, one hundred and sixty Residencies, one hundred and six Missions, and in all seventeen thousand six hundred and fifty five Jesuits, of whom seven thousand eight hundred and seventy were Priests.

But how great and quick soever this multiplication of the Society was, they found opposition in several Places, and met with great numbers of Adversaries. The Archbishops of Toledo and Saragosa were not favourable to them in Spain; and the Populace rising upon them in Saragosa, they were obliged to leave that Town, whither they returned again however soon after. But the Society met with so great opposition to its Establishment no where as it did in France, nor had it so many Travellers any where as it had there. The History of which follows.

We have observed already, that in 1540, St. Ignatius sent some Scholars into France, who were at first under the Conduct of Eguia, then under that of Dominicus. When Francis I. commanded all Charles V's Subjects to leave the Kingdom, the greatest part of that small Society most of whom were the Emperor's Subjects, retired to Louvain. In 1545, there were thirteen of them in Lombards College; but not owned as Exhibitioners or Scholars, and were under the Conduct of Viola. Though they did not discover themselves, yet they were known, and many declaimed against this new Institution. But they found a Protector in William du Prat Bishop of Clermont, who settled them at first in his Town of Billon, and then lodged those that were at Paris in Clermont-House, which belonged to him, and left him a considerable Legacy. But because he could not leave any thing to a Society which was not yet approved of, and because there were no profess'd Members in France, Viola received Orders from the General to make his Profession before the Bishop of Clermont, and he gave a Commission to the Abbot of St. Genevieve to receive it.

St. Ignatius having recommended the Jesuites of France to the Cardinal of Lorraine, that Cardinal procured Letters-Patents for them from King Henry II. of Jan. 20. 1550, approving of their Establishment in France; but upon Condition, that with the Benefactions they should receive, they should only erect a House or College in the City of Paris, and not in the other Cities. These Letters being carried to the Court of Parliament of Paris, they commanded them to be communicated to the King's Procureur General in the usual manner. When the *Gens du Roy* saw these Letters-Patents, they gave in their Conclusions in Writing, by which they stopt the registering and verifying of them; or at least desired the Court to make their Remonstrances to the King, that so his Majesty might be pleas'd to command their not being verified. The Court pass'd no Sentence upon these Conclusions; only they went no farther towards verifying the Letters-Patents, which were given in favour of the Jesuits. The Jesuits got a Copy of these Conclusions, and had recourse to the King, and got second Letters-Patents of his Majesty in form of *litterato*; by which, without concerning themselves with the Conclusions of the *Gens du Roy*, or with the Remonstrances which they would make, his Majesty declar'd, That it was his Will and Intention, that the first Letters-Patents should be registred, notwithstanding the new Decree. The *Gens du Roy* complained, that their Conclusions had been communicated, and declared, that they persisted in them; whereupon, there came out a Decree of Aug. 3. 1554; by which the Court before they went any farther, commanded the Bulls of Institution and Approbation of the Order of the Jesuits, and the King's Letters-Patents, to be communicated to the Bishop of Paris, and the Faculty of Divinity of that City, that they might be heard upon the same, and might say what they should judge proper. Pursuant to this Decree, Enslace de Bellay, Bishop of Paris, gave his Opinion against receiving of the Jesuits. The Faculty of Divinity of Paris, after having, as has been observed already, taken time to examine that Matter maturely, gave this famous Conclusion; in which they declare, 'That this new Society, which particularly attributes to it self the invented Name of the Society of Jesus, which takes in all sorts of Persons indifferently, which differs in nothing from Secular Priests, to which so many Privileges, relating to the Administration of the Sacraments of Penance and of the Eucharist have been given, as also relating to the Function of preaching, of reading and teaching in prejudice of the Ordinaries, and the Order of the Hierarchy, and also in prejudice of the other regular Clergy, and even of Princes and Temporal Lords, against the Privileges of the University, and, in a Word, to the Oppression and Vexation of the People, seems to them, to violate the Honour of the Monastick State, to enervate the publick, honest, pious and most necessary Practice of Virtues, Abstinences

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nences, Ceremonies and Austerities; that it gives Opportunities to Men, to leave other Orders freely; that it withdraws Men from the Obedience and Subjection due to Ordinaries; that it deprives Lords Ecclesiastical and Temporal unjustly of their Rights; that it introduces Disturbance into both Politics, many Dissentions and Complaints among the People; many Law-Suits, Debates, Contentions, Jealousies, and several sorts of Schisms; and consequently, that all these and other Things being diligently examin'd and consider'd, this Society seems to be dangerous to the Faith, a Disturber of the Peace of the Church, tending to overturn the Monastick State, and more apt to destroy than to edify. Among the Doctors that met at this Assembly, in which this Conclusion was made, were *Bennet*, *Courcelles*, *Maillard de Mouchy*, *Perionius*, *Ory* Inquisitor of the Faith, and *le Fevre* the Syndic. After this Conclusion was given, the Jesuites pursued the Verification of their Letters no farther under the Reign of *Henry II.*

But in 1560. in *Francis II.*'s Time, they obtained Letters Missives from that Prince and the Queen Regent, directed to the Parliament, by which his Majesty (upon a Declaration made by the Religious, the Priests and the Scholars of that Society, that they consented to be received only upon Condition, that their Statutes and Privileges should not in the least contradict the Laws of the Kingdom or of the Gallican Church, or the Concordates made with our holy Father the Pope and the holy Apostolical See, or Episcopal and Parochial Rights, or Chapters of Churches Cathedral or Collegiate, and the Dignities therein; only desiring to be received in *France* as an approved Religious Order, under the aforesaid Conditions and Limitations;) commands the Parliament to proceed to verify and register the Letters granted by the King his Father, and to confirm the Bulls, but with the aforesaid Restrictions and Limitations. These Letters were presented to the Parliament upon *Nov. 4. 1560.* by the *Gens du Roy*; who said, That, in consideration of this Declaration, they consented to the Approbation of the aforesaid Privileges, saving only now, or hereafter to themselves, a Right of appealing against them, if they should find them to be hurtful or prejudicial to the Rights of the King, and the Privileges of the Church. The Court accordingly, by their Decree of *Feb. 22. 1561.* order'd the Jesuites to apply, if they had a mind, to a General Council, or to the next Assembly which should be held in the Church, for the Approbation of their Order. Pursuant therefore to this Decree, they presented a Petition to the Assembly of the Prelates of *France*, held at *Poissy*, and they brought thither the Bishop of *Paris*'s Consent to the Confirmation and Verification of the Letters and Bulls granted in favour of the Jesuites, with the following Restrictions and Limitations. 'That they shall not exercise any Episcopal Jurisdiction, nor preach the Word of God, without the Leave and Consent of their Bishop: That they shall administer no Sacraments, even those of Confession and the Eucharist, without the express Leave of the respective Parish-Priests of those to whom they would administer those Sacraments: That they shall do no prejudice to the Parochial Clergy in Spirituals or Temporals, as to Oblations, Rights of Burial, and the like, which they shall perform in their Churches or Chappels: That they shall not read or interpret the Holy Scriptures in publick or private, unless they be approved by the Faculties of Divinity, and the famous Universities, and without Prejudice to other Orders and religious Persons: That they shall not draw to them, nor receive into their Society, any profess'd Religious of other Orders: And, as an Addition to the above-named Conditions, that they shall be receiv'd by way of a Society and Company only, and not as a new religious Order; and shall be obliged to assume another Name than that of *Jesus*, or *Jesuites*: That they shall make no new Constitutions, nor alter those they have already: That they shall make use of no Privileges, even those which are granted to them already, in any thing that shall be contrary to these Constitutions: That they shall be obliged to conform themselves to the Common-Law: And lastly, that they shall not prejudice the Rights of the Temporal Lords.

The Assembly of the Clergy having seen this Act of Consent, receiv'd and approv'd the Society of *Jesus* as a Society and a College, and not as a newly instituted religious Order; only upon Condition, 'That they should take another Title than that of the Society of *Jesus*, or *Jesuites*; that the Bishop of the Diocese should have all Jurisdiction and Right of Superiority and Correction over the Members of that Society; that they should undertake nothing in Spirituals or Temporals, in Prejudice of Bishops, Chapters, Parish-Priests, and Universities, and other Orders; that they shall be obliged to conform to the Common-Law, without claiming any Right or Jurisdiction of their own, and renouncing all the Privileges granted them in their Bulls, contrary to these Conditions: And in case they got any others for the future, that the Assembly's Approbation should be null, and of no Effect.' This Declaration of the Clergy of *France* was re-

gifted in the Parliament of *Paris*, and the Society was received upon the Clauses and Conditions therein express'd. A History

The Jesuites thus Authorized by the Assembly's Declaration, and by this Decree applied themselves to *Julian de St. happen'd Germain*, then Rector of the University, who of his own in Europe proper Motion, and without consulting the Faculties, gave relating to Religion. their Letters of Matriculation, under the Rector's Private Seal, *Sept. 19. 1563.* by virtue whereof they open'd their College, which they call'd, the College of *Clermont* of the Society of *Jesus*, and open'd their publick Lectures there. The University oppos'd it immediately; and demanded of them, Who they were, and by what Right they undertook to profess? They answer'd, They were neither Monks nor Religious; that their Society had no profess'd Houses in *France*; that they had only a College, in which were Scholars and Professors; that they desired to be admitted into the University; promising to obey the Rector in every thing, and to conform to the Laws and Constitutions of the University. Notwithstanding this Declaration, the Provost, Rector of the University, forbade them a second time, upon *Octob. 20. 1564.* to teach and profess publicly in the University of *Paris*, till they had shewn their Bulls and Decrees, and justified their having such a Right. The Jesuites presented a second Petition to be admitted into the University, with Offers to submit to the Rector and the University; renouncing all Charges, Dignities and Privileges in that Body, and restraining themselves to the bare Profession of Divinity, Philosophy, and Humanity; offering to take Degrees as others did, and to send their Graduates and Scholars to the Rector's Procession. But they expecting no favourable Answer from the University, presented a Petition to the Court, for Leave to continue their Lectures, till it should be order'd otherwise. To this Petition the Procureur-General made Answer, That he would do what should be adviseable, when both Parties had been heard; in the mean time he commanded every thing to continue as it was. The Court then order'd both sides to give in their Cases to the Board: And when the Rector had Notice of their Petition, he sent an Order to the Jesuites to appear before a Meeting of the University; there to say and declare, Whether they were Regular Monks of the Society of *Jesus*, or Seculars? They appeared, and answer'd, That they were, *Tales quales eos Curia declaravit*, (g) What the Court of Parliament named them in their Decree; i. e. Members of the College of *Clermont* of the Society of *Jesus*: And they renew'd their Offers of being subject to the Rector, and to the University, and to observe their Statutes; desiring to be incorporated into the Body of the University. When the Assembly of the University had heard them, they concluded, that these Men ought not to be received nor incorporated; that they ought to proceed rigorously against them, and to forbid the Scholars from going to their Lectures, upon pain of being deprived of all the Privileges of the University. The Jesuites likewise presented their petition to the Court, to hinder the Effect of that Sentence, and that they might be at Liberty to continue their Lectures. That Petition being communicated to the King's Procureur-General, he commanded, as before, that nothing should be innovated or attempted, till upon a Hearing of both sides the Court should give Orders. The Cause then was carried into the Great Chamber of the Parliament, where it was pleaded with great Pomp. *Pasquier* spoke in behalf of the University, and *Versoris* for the Jesuites. The Bishop of *Paris*, the Abbot of *St. Genevieve*, the Chancellor of the University, the Governor, the Provost of *Merchands* and *Eschevins* of *Paris*, the Faculty of Divinity, and the Parochial Clergy of *Paris*, appeared for the University: *Du Menil*, who spoke in the Name of the King's Procureur-General, concluded against the Jesuites, and order'd, that the Foundation which was granted to the Jesuites should be turned into a College of *Clermont*, to be governed by a Principal and Officers, like the other Colleges of the University, in which twelve poor Scholars of the House should be maintained. Both Parties were order'd to lay the Merits of their Causes before the Council; and by that means the Jesuites, without being incorporated into the Body of the University, were at Liberty to continue their Lectures.

In 1575. Pope *Gregory XIII.* gave Leave to the Cardinals of *Bourbon* and *Guise* to procure an Union between the Jesuites and the University of *Paris*: The Cardinal of *Bourbon* propos'd it to *John de Rouen* Rector in 1575. and *Thomas Scurjon* Rector in 1577. but neither of them would consent to any Proposals of that nature.

When *Henry IV.* made his Entry again into *Paris* in 1594. the University looked upon that as a favourable Opportunity, and made a Decree, *April 18.* by which they concluded, pursuant to the Advice of the Deputies of the four Faculties, That the Jesuites ought to be prosecuted by Law, in order to drive them out: However the Faculty of Divinity some time after (*July 9.*) declared, that their particular Advice was only this, That the Jesuites ought to be reduced according to the Forms of the University, and be obliged to observe its

[g] So *Pasquier* repeats the Words, in his Argument for the University, against the *Jesuites*; out of which this Narra-

tive is in a manner all taken, which *Pasquier* has printed at length in his *Recherches de la France.*

Discipline, but not driven out of the Kingdom. *Se quidem A History censere, prae dictos Patres redigendos & recensendos esse in Or-*
of what dinem & Disciplinam Universitatis, Regno autem Gallico esse
happened nullis modo pellenlos.

The University, pursuant to their own Conclusion, presented a Petition to the Parliament; by which they desired, that the Society of the Jesuites might be banished, not only out of the University, but also out of the Kingdom. The Cause was pleaded again in the Great Chamber by Master *Anthony Arnauld* in behalf of the University, and by Master *Duret* for the Jesuites. The Judgment was suspended. But *John Chastel's* Attempt upon the King's Person, and his Declarations, having enraged the Judges against the Jesuites, they were banished the Kingdom by the same Decree which condemned *Chastel* to Death, in December 1594. This Decree was rigorously executed; and the Jesuites were driven not only out of *Paris*, but also out of all the Kingdom. Some however remained still at *Lyon*; so in 1597. the Parliament made new Decrees to drive them out of that City, and to suspend them from exercising of all manner of Functions in the Kingdom.

Being thus banished out of the Kingdom of *France*, they ceased not to solicit the Pope for their Re-establishment; and presented Petitions and Apologies themselves to the King. In Sept. 1603. that good Prince gave them Letters of Re-establishment for the Cities of *Toulouse, Auch, Agen, Rodez, Bourdeaux, Perigueux, Limoges, Tournay, Le Puy, Aubenac, Beziers, Dijon, Lyons, and La Fleche*; upon Condition, I. That they should settle no where else, without his Majesty's Leave. II. That they should be all natural *French*, and that no Stranger should settle among them. III. That they should always have one of their Body near the King's Person, to be a Preacher to him, and to answer for the Actions of the Company. IV. That all that shall be received at present into the Kingdom, and that shall be received into the Society for the future, shall take an Oath, before the Royal Officers of the respective Places, That they shall neither do nor undertake any thing against the Service of the King. and the Peace and Quiet of the Kingdom. V. That they should acquire no Estates in the Kingdom, without the King's Leave. and that the Members of the Society shall be incapable of inheriting. VI. That they should receive no real Estates from those who should enter for the future into their Society. VII. That they should be entirely subject every where, and in every thing, to the Laws of the Kingdom; and responsible to the King's Officers. VIII. That they should neither undertake nor do any thing in Spirituals or Temporals, to the Prejudice of Bishops, Chapters, and Universities, or other religious Bodies. IX. That they should not preach, nor administer the Sacraments, nor even that of Confession, to any Persons besides the Members of their own Society, without the Leave of the Bishops of the respective Dioceses.

Tho' by this Edit the Jesuites were settled no where within the Jurisdiction of the Parliament of *Paris*, except at *Lyon* and *La Fleche*; yet that Court made a sharp Remonstrance to the King. by the Mouth of the first President *du Harlay*, to hinder its Effect: But the King was resolv'd it should be verified; and so they soon got Leave to settle in other Places, as at *Rheims, at Amiens, at Rouen, at Rennes*: They got also into *Paris* again, and were there resettled in their College and House by Letters-Patents of July 27. 1606.

We are now come to religious Orders of Women: Towards the latter end of the foregoing Century, we forgot to observe, that in the Year 1464. *F. John Tisseran*, of the Order of *St. Francis*, having touched the most hardened Hearts in a lively manner, and converted several lewd Women by his Sermons, founded the Order of *Penitent Nuns*, in Honour of *St. Mary Magdalene*, for a Retirement to those to whom God should give the Grace to leave their Sins. There were at first two hundred and twenty; and as the Number encreased exceedingly, and that they had not Revenue sufficient, some were suffer'd to beg in the Town. This Custom lasted till 1550. when, because of Inconveniencies, they shut them up in a very close Cloister. *Lewis Duke of Orleans*, afterwards King, gave them *Orleans-House*, near *St. Eustace's*, where they stay'd till 1572. when *Queen Catherine* d'slodged them to build a Palace there, and removed them to *St. George's Chappel* in *St. Denys's Street*, which had till then belonged to the Monks of *St. Magloire*.

Queen Jane, Daughter of King *Lewis XI.* who was separated from King *Lewis XII.* her Husband, retired to the City of *Bourges*, and thought no longer of pleasing any Person but him that gives eternal Crowns; and when she could not lose her Virginity by being Mother to a *Dauphin*, was resolv'd to be a Mother to an infinite Number of Virgins by preserving it. She instituted therefore the Order of the *Annunciation*, or the *Annunciades*, whom she put under the Direction of the *Franciscans* of the *Observance*. Their Rule was taken neither from that of *St. Bennet*, nor that of *St. Augustine*, nor from any other; but was formed upon the ten Virtues of the blessed Virgin, Chastity, Prudence, Humility, Truth, Devotion, Obedience, Poverty, Patience, Charity, and Compassion. Their Habit is singular; a black Veil, a white Cloak,

a Red Scapulary, a grey Gown, and a Girdle of Rope. There are several Nunneries of them in *France*, and the *Low-Countries*. This Order must not be confounded with the *Celestiales*, whose Institution came from *Genoa*, and did not begin till the Year 1604.

The Rule of the *Capuchin Nuns* is much the same with that of the *Capuchins*, and their Institution is almost as ancient. The Dutchess of *Mercoeur* laid the first Stone of their Convent at *Paris*, in 1604. pursuant to the Intentions of *Queen Louisa*, her Sister-in-Law, who by her Will had left wherewithal to build it.

The first Convent of *Fenillantine Nuns*, upon the same Reformation with the *Fenillantine Monks*, was settled near *Toulouse* about the Year 1590. then removed to *Toulouse* itself. *Antoinette d'Orleans*, Widow of *Charles de Gondi* Marquis of *Belle-Ile*, settled there in 1599. The Pope removed her from thence, and gave her the Government of the Abby of *Font-Evrault*: And some Years after, she instituted a Congregation of *Benedictine Nuns*, by the Name of *St. Mary of Calvary*, and *St. Scholastica*.

St. Theresa was, as we have said already, the Institutrix of the Reformation of the *Carmelite Nuns*; under whom they flourished in *Spain*, whence they pass'd into *France* in 1604. of whom there are at present in that Kingdom about sixty Houses.

King *Henry III.* as has been said already, founded the Order of the Holy Ghost in 1579. and *Henry IV.* that of our Lady of Mount *Carmel* in 1607. The Pope granted them Bulls for their Erection that Year; and others next Year, by which he united them to the Order of *St. Lazarus*. Concerning this last, we are to know, That when the western Christians were Masters of the Holy Land, besides the Orders of the *Templars*, the *Teutonic Order*, and the *Knights of St. John of Jerusalem*, there was another formed besides by the Name of *St. Lazarus*, which receiv'd Pilgrims in Houses erected on purpose, conducted them upon the Road, and defended them against the *Mahometans*: So that the Popes granted them great Privileges, and Princes gave them rich Possessions. *Lewis VII.* in 1154. gave them an Estate at *Boigny*, near *Orleans*. These Knights settled there after the Christians were driven out of the Holy Land, there fixed their Titles, and always kept their Assemblies in that Place.

But then they becoming useless, became also contemptible; so that the *Knights of St. John* easily obtained of *Innocent VIII.* to suppress that Order, and to unite it with their own. Hereupon those in *France* complained to the Parliament, which decreed, That they should subsist apart from all the rest. Accordingly they always had Great-Masters of their own. Pope *Pius IV.* gave the Great Mastership, in *Italy* only, to *Joannot de Chastillon*, one of his Kinsmen. This *Joannot* dying in 1572. Pope *Gregory XIII.* gave it absolutely to *Philbert Emmanuel Duke of Savoy*, and to all his Successors, and united this Order to that of *St. Maurice*, which he had erected in favour of that Prince. But this Order taking no place in *France*, *Aymar de Chartres*, Knight of *Malta*, had a great Desire to revive it again, that he might enjoy that Dignity. *Philbert de Nereslang*, a Gentleman of admirable Virtue, and Captain of the *Guards du Corps*, succeeded him in that Design, and employ'd the Power of *Henry IV.* therein so successfully, that that Prince made him Great-Master in 1608. and got a very advantageous Bull from the Pope for that Order; which is the same thing for the *French*, that the Order of *St. Maurice* and *St. Lazarus* is for those on the other side of the Mountains. Among other Privileges, these Knights have a Liberty to marry, and to hold Pensions upon Consistory Benefices.

The Order of the *Humiliats*, which was founded in the Eleventh Century, and was become numerous and powerful in *Tuscany* and *Lombardy*, was suppress'd by Pope *Pius V.* in 1571. because a Guardian of that Order, and some Members, had conspired against *St. Charles Borromeo* the Protector of the Order, and one of them had discharged a Pistol at him, being enraged at his labouring after their Reformation. The Pope, by his Bull of Feb. 13. suppress'd the General and Superiors of that Order, and abolish'd the whole Order it self; commanding the Profess'd to retire into such Houses as should be assign'd them, there to lead a Life agreeable to their Profession under the Jurisdiction of their Ordinaries; and the Novices to be turned out of the Monasteries, prohibiting the ancient profess'd Members to receive any more. He reserv'd at the same time to the holy See, the Propriety and the Faculty of disposing of the Houses, Goods, and Revenues of that Order, as he should judge convenient.

Here we shall finish what we had to say concerning the Ecclesiastical History of the Sixteenth Century. If any Man thinks we have been too long in what we have said, let him consider, it was of Importance to make the great Revolutions in Religion, which happen'd in this Century, be well understood, that we should enter into the Particulars of the Disputes then moved, and faithfully set down the Decisions and Regulations made concerning them. We shall now speak of the principal Authors who flourished in this Century, and of their Works.

BOOK V.

Containing the History of the Ecclesiastical Writers of the latter Part of the Sixteenth Century, from the Year 1550. to the End of the Century.

FRANCIS TITELMAN.

Francis Titelman, born at Hasselt in the Bishoprick of Liege, took the Habit of the Order of St. Francis in the Monastery of the Franciscans at Louvain. He taught Philosophy, Divinity, and the Holy Scriptures there a long time. After that he went to Rome, where he went into a Reformed Capuchin's House, in 1537. and wholly gave himself up after that to Prayer, Meditation, and assisting of poor People that were Leprous. He was much considered in his Order, and was made Vicar of his Province. He died with a Reputation of Holiness at Anticoli near Rome, Sept. 12. 1553. being 46 Years of Age.

Titelman's principal Works are his Paraphrases and Notes upon some Books of the Holy Scripture; namely, upon the Book of Job; the Psalms; the Canticles; Ecclesiastes; the Gos-

pels of St. Matthew and St. John; and the Epistles of St. Paul, and the Canonical Epistles. He makes a Paraphrase of the Text of the Bible, which explains and fixes the Sense; and he joins to that Paraphrase some literal Notes, to explain difficult Passages. Though he understood Greek and Hebrew, yet he kept to the vulgar Latin, and follows the Sense. He wrote a Book against Erasmus, which he calls *A Conference concerning the Epistle to the Romans*, and an *Apology* for that Book. He likewise wrote a Treatise concerning the Authority of the Revelation; An Exposition of the Ceremonies of the Mass; Meditations upon the Exercises of Monks; An Explication of the Office of the Trinity; Scholia upon the Treatise of Arnaldus Bonævallus concerning the seven Words of our Lord. All these Discourses were printed in several Places.

ADAM SASBOUTH.

Adam Sasbouth, born at Delft. December 21. 1516. of a noble Family, his Father being a Magistrate of the same City, after having laid the Foundation of his Studies at Delft, went to study Greek and Rhetorick at Utrecht, and Philosophy and Divinity at Louvain. In 1544. he entered into the Franciscan's Order at Louvain, and taught Divinity in their House. He lived but nine Years after he was profess'd, and died December 1. 1553. aged 36. Years.

His Works are, *A Treatise upon the four Books of Sentences*; *A Commentary upon Isaiah*; to which is prefix'd, *A Treatise concerning the Senses of Scripture*; *Commentaries upon most of the Epistles of St. Paul*; upon the first Epistle of St. Peter, and that of Jude; *Homilies and Sermons*; three Discourses upon those Words of Leviticus [Ye shall be Holy;] and, *A Discourse of the true Church*; printed at Cologne, 1568.

Sasbouth had so happy and so prodigious a Memory; that he could repeat the twelve Books of Virgil's *Æneids* by heart, without mistake or hesitation. He had never a Book in his Cell, but his Bible, his Breviary, and his Works. His Commentaries are rather Theological than Critical. He does not however enlarge upon useless Questions, and is sufficiently large in his Explication of the Text, in which he is clear and methodical. He follows St. Thomas and St. Augustine in their Notions concerning Grace.

Some attribute Sasbouth's Commentaries to John Hassets, Doctor and Professor at Louvain, who understood the Languages, and died at the Council of Trent, January, 5. 1551. This is a different Man from that John Hassets, of whom we have several Treatises. Nothing came out in this Man's Name, but a small Discourse concerning what Nestorius did when he put down Confession; which was presented to the Council, and printed at Antwerp, in 1564.

CLAUDE GUILLAUD.

Claude Guillaud of Beanjen, Doctor of Paris, Canon and Divinity-Professor of Autun, flourished about the Year 1540. He wrote a *Commentary upon the Gospels of St. Matthew and St. John*, printed at Paris in 1550. and 1562. and, a *Commentary upon the Epistles of St. Paul*, and the Canonical Epistles, which he calls *Collations*, printed at Paris in 1544. and 1548. In these Books he only collects the most literal Explications of the

Fathers, and of other Commentators. He follows the Vulgate; but however, sometimes he sets down some differences of the Greek, which he takes from the Version of Erasmus. He adheres to the literal Sense; but where that is liable to be misunderstood, he explains the Doctrine of the Church in few words. There are also some Homilies of this Author's upon Lent, Printed at Paris in 1560.

JOHN FERUS.

John Ferus, a German, of the Franciscan Order, preached at Mentz with Reputation for twenty four Years, and died there in the 60th Year of his Age, September 8. 1554. He wrote *Commentaries upon the Pentateuch*, Joshua, Judges, Job, the 31st. and 66th. Psalms, the last Chapters of Ezra, Ecclesiastes, Esther, the Lamentations of Jeremiah, Jonah, the Gospels of St. Matthew and St. John, the Acts of the Apostles, St. Paul's Epistle to the Romans, and the first Epistle of St. John; which have been printed at several Times, and in different Places. We have also a Volume of Sermons and some Tracts of this Author's. His Commentaries are not dry Notes, but large and eloquent Discourses; in which, however, he forgets not to explain the literal Sense of the Holy Scriptures. His Style is easy; and he judges soundly of things. He had read the Commentaries of the Fathers carefully, which he follows and imitates; and he was not prejudiced with the Maxims of the Court of Rome. In his Explication of that Passage of St. Matthew, *Thou art Peter, and upon this Rock I will build my Church*, he produces what the Fathers said up-

on those Words, and concludes in favour of St. Augustine's Explication, that St. Peter then represented the whole Church, to which the Keys were given in his Person. He asserts, that St. Peter's Power was limited, and that he had none over Temporal Goods. He explains the sixth Chapter of St. John, of the Spiritual Manducation of the Eucharist, but without rejecting the Opinions of the other Commentators, who understand it of his real Eating. These free Notions drew Adversaries upon him; and his Books have been put into the *Index Expurgatorius*. Dominico Soto, a Dominican, in his Commentary upon the fourth Book of the Sentences, wrote against this Explication which Ferus gives of the sixth Chapter of St. John; but Michael Medina undertook the Defence of his Brother, and made an Apology for him against Soto's Exceptions. Whatsoever becomes of that particular Dispute, it cannot be denied but the Commentaries of Ferus are of singular Use to those who want a Commentary, wherein Doctrine and Morality are join'd easily with a literal Explication.

A M B R O S I U S C A T H A R I N U S.

Of the Ec-
clesiastical
Writers of
the latter
Part of the
Sixteenth
Century.
Ambro-
sius Ca-
tharinus.

Ambrosius Catharinus of *Sienna*, was first called *Po-
lignus Lancelotus*, and under that Name taught the
civil Law in several Universities of *Italy* till he was
32 Years old, when he entered into the Order of
St. *Dominic* at *Florence* in 1515. Then he took the
Name of *Ambrosius Catharinus*, and gave himself wholly
up to the Study of Divinity. He soon made himself famous
by his Writings. His usual Residence was at *Rome*, from
whence he was sent to *Trent* when the Council was open'd
in the Year 1545. He made himself be there taken Notice
of, as well by his Capacity, as by the Opinions which he
maintained, which are very different from the common No-
tions of Divines. He was chosen to preach there at the
opening of the third Session, which was held *February 4.*
1547. The same Year he was promoted to the Bishoprick
of the small City of *Minori*, in the Kingdom of *Naples* which
belongs to the Archbishoprick of *Amalfi*. *Julius III.* who had
formerly studied Law under *Catharinus*, removed him in 1551,
to the Bishoprick of *Conza* in the same Kingdom. He had
not long enjoyed it, when he died suddenly at *Naples*, just
as he was going to be made a Cardinal.

Catharinus wrote Commentaries upon the five first Chap-
ters of *Genesis*; upon St. *Paul's* Epistles, and upon the Cano-
nical ones. The Commentary upon the five first Chapters of
Genesis was printed at *Rome* in 1552. In that Commentary
he treats of such Questions as may be occasionally formed
upon the Text. For instance, when he explains the Term
Abel, he maintains against *Cajetan*, that that word is in the
Plural Number, and consequently is a Proof of the Trinity
of the Divine Persons. Upon the Term *Created*, he proves,
that the World was made of nothing. He treats of the Num-
ber and Nature of the Heavens. By the Word *Earth*, he un-
derstands the Matter of all things; by the *Spirit of the Lord*,
the Holy Ghost. He makes a Digression upon the Trinity,
and the Procession of the Holy Ghost. He approves the
Notion of the Fathers, who believed, that when it is said in
Genesis, that Man was made after the Image of God, it means
after the Image of Jesus Christ. He treats of the Nature of
Body and Soul; of Original Righteousness, and the Institu-
tion of the Sabbath. He refutes those that deny that the Ter-
restrial Paradise still exists, and that *Enoch* and *Elias* were tran-
slated thither. He proposes several other Questions about
Paradise, and concerning the Tree of the Knowledge of
Good and Evil. He refutes *Cajetan* sharply for looking upon
the *Mosaic* Account of the Formation of the Woman out of
the Side of Man, to be only Figurative. He does not think
that those Words, *A Man shall leave his Father and his Mo-
ther, and cleave to his Wife*, can be understood, as the same
Cajetan explains them, of the Prohibition of Marriage be-
tween a Father and his Daughter or between a Son and his
Mother. Upon that occasion he treats of Marriage. He
maintains, after *Scotus*, that though *Adam* had not sinned,
yet the *Messiah* would have come. He makes a long Di-
gression concerning the Fall of Angels. He is very par-
ticular in his Account of the Circumstances of *Adam* and of
Eve's Sin. He speaks of the Punishment and Consequences of
Original Sin. He refutes those who think, that Man was
able to have lived morally well without the help of Grace.
He has a Discourse concerning the Celibacy against the Here-
ticks. He applies to the Virgin *Mary* what is said in gene-
ral in *Genesis* of the Pains of married Women. He calls
those Impious who deny the Sufferings and Compassion of
the Mother of God, which were then begun to be solemnized
in a Festival in some Churches; but then he does not
approve of the Fictions of the Preachers upon that Subject.
He sharply reprehends *Erasmus* for saying, that we ought not
now to weep for the Death of *Jesus Christ*. He believes the
Marks of St. *Francis* (a) and declaims against *Bernardinus*
Ochinus, who laughed at them. He makes a Discourse upon
the Controversie of Sacrifices in general, and of that of the
Altar in particular; in which he refutes *Zuinglius* and *Oeco-
lampadius*. He freely owns that he does not think himself
obliged to embrace all the Opinions of St. *Augustine* and St.
Thomas, and proves by St. *Augustine* himself, that that Fa-
ther never pretended that he or any other Author, excepting
only those that are inspired, ought to be followed, as an in-
fallible Rule of Truth. He declares, that he does not
approve of that Father's Opinion of the Pains of Children
dying unbaptized, nor of what he writ of Predestination, and

of the Mass of Perdition; and yet he does not think that
herein he derogates from the Authority of that great Doctor,
but only he is not for giving him a thing which he would ne-
ver have suffered any body to grant him. Lastly, he lays
down two Rules for us to know whether we may swerve
from the Opinion of the Fathers, or whether we are obliged
to follow it. We ought, says he, in the first place carefully
to examine, whether all Catholick Doctors are agreed upon
a Question or whether they are of different Opinions? Se-
condly, whether they assert a thing occasionally, and support
it only with probable Reasons? or whether they propose it
as an Article of Faith grounded upon the Belief and Practice
of the ancient Church? He maintains, that the Law of Na-
ture it self taught *Cain* and *Abel* that they ought to offer Sa-
crifices, but that no Sacrifice is well pleasing to God with-
out the Faith of him that offers it. He directly opposes St.
Augustine's Notions concerning the Mass of Corruption and
gratuitous Predestination. He speaks by the by of the Wor-
ship of Images: He owns that it was entirely forbidden to the
Jews, because of their Inclination to Idolatry. He is against
the Titles of *Advocate with God* and *Companion of Jesus*
Christ, which were given to the Blessed Virgin. He is very
angry with *Cajetan*, for saying that St. *Luke* put *Cainan* into
our Saviour's Genealogy, because he followed the Transla-
tion of the Seventy. He does not, however, think it ought
to be in *Genesis*; but he pretends that *Moses* left it out, as St.
Matthew omitted some Names in his Genealogy. At last
he treats of the Years of the Patriarchs, and rejects the Se-
venty's Computation, according to which *Methuselah* lived
after the Flood.

The Commentaries of this Author upon all St. *Paul's* E-
pistles, were printed at *Venice* in 1551. at *Rome* in 1668. and
at *Paris* in 1667. He there treats also of Polemical Questi-
ons, and leaves, as he had done before, St. *Augustine's* Sy-
stem of Predestination and Grace. He refutes, however, the
Errors of the *Pelagians*, and is not entirely of the Opinion
of those who allow no gratuitous Predestination to Glory,
nor any Grace in its self effectual; for he divides all Man-
kind into two Classes, one, of those that are elected and pre-
destinated in a special manner, to whom God gives Assi-
stance and Graces, which will infallibly guide them to Salvati-
on, which they cannot fail to obtain, yet so as not to lose
their Liberty. This Class is compos'd but of a very few, for
whom God has a particular Predelstination, such as the Blessed
Virgin, St. *Paul*, and some others like them. It is to these
chosen Vessels only that he applies all that St. *Paul*,
says in his Epistle to the *Romans*, concerning the Vocation
and Predelstination of the Elect. The second Class compre-
hends all the rest of Mankind whom God has not predelstina-
ted to Salvation by a fixed and immoveable Decree, but un-
der a Condition, which may come to pass, and may not, and
whose Salvation depends upon the good or evil Use which
they may make of the Graces which God gives them. This
Opinion of *Catharinus's*, was opposed by *Dominico Soto* in
his Commentaries upon the same Epistle to the *Romans*, and
defended by *Sextus Senensis*, a Disciple of *Catharinus's*, who
maintained it, as he publicly says, from twenty to thirty
Years of Age, in the Principal Cities of *Italy*; and who
having found the Difficulties in it, and seen that it was not
approved by many learned and pious Divines, forsook it to
follow the Opinions of St. *Augustine* and St. *Thomas*.

Catharinus's Commentary upon the Canonical Epistles, is
neither so large, nor so full of Questions of Controversy and
Digressions, as the former.

This Author's Remarks upon Cardinal *Cajetan's* Com-
mentaries may likewise be reckon'd among his Books upon
the Holy Scripture; in which he accuses that Cardinal of as-
serting many things, not only evidently false, but also pernici-
ous to Religion, and contrary to the Doctrine of the Church.

He says, that having a Man of Dignity, and of a distingui-
shed Reputation, to oppose, he came on purpose to *Paris*;
where he conferred with the principal Doctors of his Order,
and consulted the Faculty of Divinity in that City, who were
of his Opinion in these extraordinary Passages in *Cajetan*.
one of the principal Things which he touches upon in these
Remarks is the Question concerning the Author of the Epistle
to the *Hebrews*. *Cajetan* spake doubtfully. *Catharinus* op-
poses him, and proves by several Reasons that St. *Paul* wrote
it, and answers the Arguments which may be propos'd in

(a) The Marks of St. *Francis* were Prints which he fancied
to have been impress'd by Jesus Christ upon his Body, in the
very Places in which our Blessed Saviour was wounded by the

Nails and the Spear, in memory of which the *Franciscans*
have leave to hold a Feast.

favour of *Cajetan's* Opinion. He treats also of several other Questions in those Notes. He uses *Cajetan* very ill, and accuses him of favouring the Innovators in many of his Explanations.

Catharinus lays down his System of Predestination and Reprobation at full length, in his Treatise which he wrote on purpose upon that Subject, which were printed at *Lyon* in 1542. He laughs in his Preface at those, who, when they cannot explain this Mystery, recur to St. *Paul's* Exclamation: *O the depth of the riches of the Wisdom and Knowledge of God!* And he asserts, that Divines ought to be able to shew that God's Conduct towards Men is neither unjust nor unreasonable. He there repeats his Maxim, that we are not obliged to be of St. *Augustine's* Opinion in this Matter. This Preface is followed with a Tract concerning the Prescience and Providence of God; where he proves, that they are compatible with Contingence and Liberty. He discourses upon that Question in Philology, Whether one of two Propositions, relating to a future Contingent, must necessarily be true or false? And he determines, that neither of them need be, tho' he owns, that God knows things to come, not in Truth as future, but as present, because nothing is future to him, but all is present. But, says he, this Knowledge of God's takes away neither Contingence nor Liberty; because God sees a Thing as existent, not by means of necessary Causes, but by free and contingent ones. He owns at last, that God sees Things future in their Causes; but of these he makes two sorts: Such as are determined to produce such an Effect; and such as are not determined to produce such an Effect, but may either produce it or let it alone. He blames the Distinction which *Cajetan* makes between *Inevitability* and *Necessity*; And he affirms, that the Prescience and the Providence of God impose no Necessity; because, as to the Knowledge of God, it supposes that the Effect is already existing, and produced by a free Agent, and that Providence only orders Effects to their proper End.

His three Books concerning Predestination come next. There 'tis that he lays down and establishes the System of which we have given a short Account. In the first Book he begins with this Question, Whether Prescience of Merits is the Cause of Predestination; or, whether it solely depends upon the Will of God? And after he had produced his Reasons on both sides, he concludes, that Predestination does not at all depend upon our Merits. Then he examines, Whether Predestination be certain and infallible; and whether nothing can cause one that is predestinated to lose his Salvation? He says, that Predestination being an Effect of Providence, and depending upon certain and inevitable Causes, it is impossible but a predestinated Person must be saved; and thence concludes, that this Proposition is true, *It is necessary that he that is predestinated must be saved*: But then he is not for asserting, *That it is necessary that he that is a Reprobate must be damned*. He does not think that the Liberty of the Predestinate consists in Indifference, but in the Free-Will's being strengthened by such powerful Grace, that it cannot be carried, at least finally, to Evil. Having thus laid down the most rigid Principles of Predestination, he begins to enter upon his own particular System; and he asserts, that it is not necessary that all that are or shall be saved, should be predestinated. Here he makes no scruple of rejecting St. *Augustine's* Notion concerning the Mass of Perdition, as hard and cruel. In the second Book he proposes several Arguments to refute it; and endeavours to answer the Authorities upon which it is built. Last of all, in his third Book, he entirely unravels his whole System; and says, That God predestinates some Persons to eternal Life, and conducts them to it by certain and infallible Methods, causing them to Do and to Will what is good by his Grace; and that these are the predestinate who can by no means fall from Salvation: But then he will not allow, that the rest are rejected and abandoned by God, because he directs them also towards their End, tho' he does not do it by infallible Means, and in such a manner as that they cannot fail of Salvation. He owns the number of the Predestinate to be fixt and certain, because there is but a certain number of Persons whom God has resolved to bring to Salvation by infallible Means: But then he does not think the same thing can be said of the number who may be saved, because there are many who may be saved, and who shall be so, who yet are not predestinated in his Sense. Having supposed these Principles, he infers, that this Proposition, *Every Person that is predestinated shall necessarily be saved, and cannot be damned*, is true: That is, *He that is not predestinated may be saved, and may be damned*, is an indetermin'd Proposition, which is neither true nor false, but possible: That this Proposition, *A reprobate Person shall be, or is, damned*, is true; Nay, that we may affirm, That he shall be necessarily damned, if we take the Word *Reprobate* in its proper Sense, which supposes the Causes of Damnation to exist already. That if we speak in general of Prescience or Prevision, we may say, that those whose End God has foreseen, *prestiti*, shall be saved or damned; but then we cannot say they shall necessarily

be saved or damned, and that they cannot be otherwise. It is necessary here to observe, that on one hand *Catharinus* advances Propositions much more rigid than the *Thomists*, when he denies that the Predestinate can in any manner be damned, and when he rejects any Indifference in them, or a Power to do Good and Evil, which was allow'd by the School of St. *Thomas*: And on the other hand, that he favours the contrary Party, when he denies that any Man is rejected because of the Mass of Perdition and original Sin, and supposes, that Salvation and Damnation do entirely depend, in those that are not predestinate, upon the good or evil Use which they make of their Liberty. It ought also to be observed, that *Catharinus* does not amuse himself with raising little Objections against St. *Augustine's* Opinion, and acknowledges the Distinction of the two Estates, and the Difference between Predestination and the Grace of fall'n Man, and the Grace of Angels and of Man in his State of Innocence. Among other Arguments which he alleges against St. *Augustine*, he objects his Believing that original Sin alone deserved to be punish'd with Hell-Fire. To conclude, The Distinction which *Catharinus* puts between the Predestinated and the Saved, when he says, some shall be saved who are not predestinated, is a new Invention, unknown both to the ancient Fathers and Divines, and which was never received in the Schools.

The first of his two Books of the excellent Predestination of Jesus Christ, was written upon that celebrated Question between the *Thomists* and the *Scotists*, namely, Whether the Predestination of Jesus Christ, or the Decree whereby God decreed that the Word should be made Flesh, pre-supposed Adam's Sin: Or whether he was predestinated without any Foresight of his Fall; and consequently, whether Jesus Christ would or would not have been incarnate if Adam had not sinned? *Catharinus* is of *Scotus's* Opinion, who affirms, That Jesus Christ would have come, even tho' Adam had not sinned; and brings several Reasons to shew, that it was convenient that the Word should be made Flesh, tho' Man had continued perfect.

In the second Book he treats of the different Degrees of the Predestination of Men. The first is that of the Mother of God, who was predestinated not only to be infallibly saved, but also to be preserved from all Sin, and never to fall from a State of Holiness. The second Degree is of those who have been predestinated to die in a State of Salvation, and who shall be infallibly saved. Here he again repeats his System of Predestination.

The Treatise of the Glory of good Angels, and the Fall of evil ones, contains a very particular Fancy; which is, That the Sin of *Lucifer*, and of the evil Angels, was the Envy which they bore to Mankind because of the Incarnation of the Son of God: For all of them being created in a State of Grace long before the World, God discovered to them the Decree concerning the Incarnation, and commanded them to worship that God-Man; which Honour done to Man, *Lucifer* being envious at, and desiring it for himself, would not obey the Order of God, and was followed by several others, to whom St. *Michael* and the good Angels made Resistance.

In the Treatise of the Fall of Man, and of original Sin, after having proved the Existence of original Sin, he examines in what it consists; and having refuted those that make it to consist in Concupiscence, or in a Privation of original Righteousness, he proves this Sin to be nothing else but the Action it self by which Adam sinned, when he ate the Forbidden-Fruit, which is sinful in us, inasmuch as our Will is comprehended in his.

There is no Subject that *Catharinus* is more large upon, than the immaculate Conception of the blessed Virgin. The first Discourse which he wrote upon that Subject is divided into three Books. In the first he endeavours to shew that this Question is of great Importance to Religion. In the second he refutes the Reasons and Authorities which are brought to prove, That the blessed Virgin was conceived in Sin: And he established the contrary Opinion in the third, not upon a constant Tradition, but upon several general Reasonings. He quotes St. *Augustine* as favourable to his Opinion. He urges the Consent of Universities, the Decision of the Council of *Basil*, the Consent of Nations, the Festival of the Conception, the Revelation made to St. *Bridget* (upon which he lays a good deal of stress) Miracles, and several Arguments founded upon the Love of Jesus Christ to the Virgin, upon the Honour due to the Mother of God, the Prerogatives which she enjoy'd, and several other Considerations which gave him an ample Field in which to exercise his fertile Pen.

In the next Treatise, intitled, *Of the Consummation of the Glory of Jesus Christ, and of the blessed Virgin*, he proves, That she enjoys both in Body and Soul an eternal Blessedness. He pretends in that Treatise, That St. *John* the Evangelist is not dead, but being put into the Grave in perfect Health, he was taken up like *Enoch* and *Elias*.

Of the Ecclesiastical Writers of the latter Part of the Sixteenth Century.

Ambrosius Catharinus.

His Discourse concerning Death, and a general Resurrection of all Mankind, and a future Judgment, contains very curious Things. He proves there in the first place, That all Men shall die, even those who shall be alive when the Day of Judgment shall come. He affirms, That the Dead who appeared when our blessed Saviour died, did not perfectly rise again, but only resumed their Body for a time, which quickly returned to Dust again, without their feeling the Pains of Death. He concludes with a Description of the last Judgment, which he delineates as if God had revealed to him what shall pass there. He distinguishes several Classes of those that are to be present there: The first is of those who have been manifestly righteous, and notoriously wicked: Both these shall appear first, one shall be with Christ to judge with him, and the other shall be under his Feet. The second Class is of those who have made Profession of the true Religion, but whose Holiness is not certain: These shall undergo an Examination: Those among them who shall be found to have kept the Commandments, shall be set at the Right-hand among the Blessed; and those who died in their Sins, amongst the Miserable at the Left. The third Class is of Infants and Idiots, who have of themselves done neither Good nor Evil. Among these, some shall receive Salvation by virtue of Baptism under the New Law, and by the Faith of their Parents under the Old, and shall be placed over against Jesus Christ. The others who cannot be saved by Baptism, nor by the Faith of their Parents, cannot enjoy eternal Life; but then they shall not be thrown headlong into Hell, with impious Men and Sinners, and shall be placed at the Day of Judgment behind Jesus Christ, whose Face they shall not see. These are the Fancies of *Catharinus* concerning the Disposition of Men at the Day of Judgment; which, as any Man may see, have no other Foundation besides very frivolous Conjectures.

Ambrosius Catharinus.

But before he enters into the State of Children that die without Baptism, he treats, in two Discourses, of Purgatory, Hell-Fire, and the Glory of the Saints. In the first he produces some Passages of Scripture, and of the Fathers, to prove the Truth of Purgatory. In the second he makes Blessedness to consist not only in a spiritual View of God, but also in a bodily View of the glorious Body of Jesus Christ; and he pretends, That no Man can say that Hell-Fire is a real and natural Fire, but that by that Term an excessive Grief only was meant.

In the next Discourse, he comes back to the Question concerning the State of Infants who die without being baptized; and he is very warm against the Opinion of those who maintain that they ought to suffer Hell-Fire. He calls that Opinion a cruel Tenet, and he pretends that this was not always St. *Augustine's* Opinion. He refutes the Arguments which are proposed to shew that they suffer the Punishment of Fire, and maintains that the Passages of Scripture which speak of it can only be understood of Adults who have committed Sins. He afterwards produces the Reasons why he acquits Children who die without Baptism from those Sufferings; and he lays particular weight upon the Judgment of the Schoolmen, who are all of that Opinion, except *Gregorius Ariminensis*. He concludes at last, That they are in a middle State, between that of the Blessed, and the Damned who suffer Hell-Fire. He allows them the Felicity which belong to humane Nature: He says, They shall know God, Angels, and separate Souls, and shall be comforted by the Revelations which they shall receive, and by the Knowledge which they shall acquire to all Eternity. Last of all, He thinks it to be very probable that they shall inhabit the Earth on which we now dwell.

The last of these Discourses of *Catharinus's*, printed at *Lyon*, in 1542, is, Of the Certainty of Glory, of Invocation and Veneration of Saints. He there maintains, That the Church cannot be deceiv'd when she canonizes Saints. He proves, That they ought to be honour'd and invoc'd. He is large upon the particular Worship which is due to the Virgin. He declaims against those who will not pay any Respect to Relicks. He confesses, That Image-Worship was forbidden to the *Jews* because of their Inclination to Idolatry; but he maintains, that this Reason is ceased; that the Worship which the Church pays to them is not idolatrous, and that it is warranted by Antiquity. He owns that we ought to cut off several Abuses concerning Images: That we ought not to expose Pictures in Churches, which represent prophane Subjects, or false and apocryphal Histories, or indecent Objects: Because, as he very wisely says, every thing that belongs to the Worship of God ought to be entirely free from Falshood, and ought to be suitable to the Person honour'd, who is Sovereign Purity and Sovereign Truth. He does not disapprove of addressing to some particular Saints to obtain some particular Things; or of believing that God has annexed certain Favours to the Invocation of certain Saints; and that there are Places in which it is good to honour some Saints more particularly, and where we may expect great Advantages from their Intercession. He commends the Custom of carrying the Cross and the holy Sa-

crament in Procession. Lastly, he shews, that Canonical Hours, Vows, Pilgrimages, the Use of Wax-Tapers, and the Celebration of Festivals, are holy and useful Practices. He extremely abuses, in this Work, not only *Luther* and his Followers, but also *Erasmus* and *Cajetan*.

He had formerly publish'd at *Florence*, in the Year 1520, An Apology for the Truth of Catholick Faith and Doctrine, against *Luther*; and the next Year, a Paper entitled, An Excuse for his Dispute against *Luther*, address'd to all Churches. But the principal Treatises of this Author are those which he made during the sitting of the Council of *Trent*, which were printed at *Rome* in the Years 1551. and 1552.

The first is, A Discourse concerning the Certainty which a Man has of inherent Grace, or of Justification, address'd to the Council of *Trent*, and divided into fourteen Assertions. The Dispute which *Catharinus* had in the Congregations of the Council of *Trent* before the sixth Session, gave Occasion to this Book. He had there maintain'd, That the Just may be certain of their Justification with an entire and perfect Certainty, such as leaves no Doubts concerning Mens being in a State of Grace. When the Council condemned the Error of *Luther*, which made the Justification of Man wholly to depend upon Faith, whereby he certainly believes that his Sins are forgiven him; and which asserted, that no Man obtain'd Remission of Sins and was justified, but he must certainly believe that he was absolved and justified; it declares at the same time, That no Man can know, with a Certainty of Faith which can never be false, that he is in a State of Grace. The Adversaries of *Catharinus* were not wanting to make use of this Decree against him, and to pretend that his Opinion was condemned by the Council. *Catharinus* drew up an Explication of the Decree of the Council, to shew that it had not condemned his Opinion, and dedicated it to the Pope's Legates who presided in that Session, and to the Council it self. But some persisting still to maintain that his Opinion was condemned by this Decree of the Council's, he made this new Book to defend himself more largely against this Accusation, and dedicated it to the new Presidents of the Council, and to the whole Council, by a Preface; in which he affirmed, That the Council did not intend to decide any thing concerning Questions which are controverted among Catholick Divines, but only to condemn the Errors of ancient and new Hereticks. For, said he, not only the Pope's Bull gives notice that the Council was called only to extirpate Heresies and Errors newly published, and not to establish new Doctrines; but the Preface of the Decree evidently declares it, since the Council there affirms that its Design is to proscribe the erroneous Doctrine which was lately spread concerning Justification. Now nothing, adds he, can be rashly pronounced without a regular Disputation, and without the Authorities of the holy Scriptures, and of the Church, upon Questions which have been agitated among Catholicks, but it must disturb Peace and break Charity. The Legates, in short, may remember, that they several times said, That this Question had not been sufficiently examin'd, to be decided: And the Fathers of the Council declared, That they ought to put off the Decision of this Question to another time. The Title of this ninth Chapter expressly says, That it was written against the vain Confidence of Hereticks: But then the Confidence which he contended for was not of this Nature; but was a Confidence founded upon the Tranquility of a good Conscience, upon good Works, upon the Testimony of the Holy Ghost, and upon the Vertue of the Sacraments, which those very Persons who speak against this Certainty are obliged to acknowledge. He was sure the Council did not condemn his Opinion, because when he explained himself in a Congregation of Bishops, he openly declared, and no Man contradicted him That he admitted the Decree in such a Sense as could not prejudice the Doctrine of the Catholick Divines. These things also he repeated in his Justification, and in his Disputations; and yet none of the Fathers of the Council cry'd out upon his Declaration, because they knew he spake the Truth. Several other things also he had said, in which he had shew'd more clearly than the day, That his Thesis was not opposite to any Decree of the holy Synod; but on the contrary, that it contained the Doctrine there decided: Even those who had written against him, had been forced to own sincerely, that his Notion had nothing in common with the *Lutherans*; and consequently he might make use of his own Right in despising the rash Decisions of his Enemies. He complains particularly of a certain Doctor, who had made a List of fifty Errors, of which he accused *Catharinus*. He says, those fifty Errors, joined to fifty eight others, of which the same Author accused those who asserted the immaculate Conception of the blessed Virgin, make up one hundred and eight; and that number shew'd the Passion with which his Adversaries were possess'd. He needed only say, to stop the Mouths of his Enemies, That most of the Things which he had written were approved by the most famous University of *Paris*: He

Of the Ecclesiastical Writers of the latter Part of the Sixteenth Century.

Ambrosius Catharinus.

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He submitted however all that he had written to the Judgment of the holy Apostolical See, and especially these Assertions, which he says, are not written against any Man, but against the Devil himself, who uses all his Endavours against that precious Gift of God which he has lost by his own Fault. For, said he, we ought not to believe that this is a Question of small Importance: On the contrary, it is one of those which the Devil would gladly have continue in suspense; and that no Man should believe, that in this Life he has any certainty of this Gift, not even by receiving of the Sacraments, and by most excellent and virtuous Actions, such as Martyrdom it self, and by the Testimony of the Holy Spirit, on purpose to infuse into the Minds of Men, that what is not perceived has no Existence, and to throw even the holiest Men into perpetual Doubts and Uncertainties.

The first Assertion or Proposition which he undertakes to prove in this Book, is this, *That it cannot be proved by those Passages of Scripture which they alledge, that no Man without a special Revelation from God, granted to him by a particular Privilege, can be certain by Faith, that he has obtained Grace or Righteousness.* To prove this Proposition, he produces those Passages of Scripture which are usually brought; and endeavours to answer them.

The first Passage which is urged is taken out of the 9th. Chap. of Job, where it is said, in Job's Name, *Etiam si simplex fuero, hoc ipsum ignorabit anima mea: Tho' I were simple, my Soul would not know it.* Against this Passage he sets a great many others, in which Job expresses a great Confidence in his Innocence, and his Certainty that he was justified: And as a direct Answer, he affirms, That Job said it only out of Humility.

The second Passage is taken out of the 9th. Chap. of Ecclesiastes, *Nescit homo, utrum amore an odio dignus sit: Man knows not whether he deserves love or hatred.* He answers, if this Passage be understood of an absolute Uncertainty, then we must say, That no Man can be certain whether he is worthy of Hatred; which is very false. Afterwards he produces St. Jerome's Explication; namely, That this Passage means no more, but only that a Man cannot tell, by the good or evil Things which happen to him in this life, whether he is beloved or hated by God; because these good and evil things are common to good and evil Men. He adds, that St. Augustine and St. Bernard understand it of the Uncertainty of Predestination and Reprobation.

The third Passage is that of the Psalmist, *Delicta quis intelligit? Who can know his Sins?* He says, in answer to this, that St. Augustine and St. Jerome understood it of wicked Men, who often do not mind their Sins; that St. Bernard explains it, not of mortal Sins, but of the Motions of the Passions which the Just often endure without sinning, at least mortally; that those who understand the Languages explain this Passage of Faults committed through Weakness and Ignorance; that the Words, *Who knows? Quis intelligit?* do not signify an absolute Impossibility, but only a Difficulty: Lastly, that though we do not know all our forepast Sins, yet we may be certain of Grace, because secret Sins are forgiven by Charity.

The fourth Passage is the most considerable: It is that famous Sentence of the Apostle, *Nihil mihi conscius sum, sed non in hoc justificatus sum: I know nothing by myself, yet am I not hereby justified.* Before he explains that Passage, he observes, that he cannot without Horror hear Men assert, That St. Paul question'd whether he was righteous, when in so many places he speaks of the excellent Graces which God had given him. The Sense which he puts upon those Words, *Yet am I not hereby justified*, is, That St. Paul did not think he was justified, because he knew nothing by himself, but on the contrary, he knew nothing by himself, because he was justified; or rather, that St. Paul said simply, That that which justifies before, is not the Assurance which they have, that they are not guilty, but it is the Judgment of God.

He answers also several other Passages that might be brought, such as that in the Proverbs, *Quis potest dicere, mundum est cor meum, purus sum a peccato? Who can say, my heart is clean, I am pure from sin?* Which according to him ought not to be understood of the Doubt, whether our Sins are forgiven or no, but only that we ought not to have a dangerous Confidence in the Mercy of God, and commit new Sins in hopes that he will forgive them as he has done the former; which Explication is founded upon the Translation of the LXX. He answers likewise that Passage of St. John, *If we say we have no sin, we deceive our selves, and the truth is not in us*, and several others of that sort; the meaning of which is, according to him, That no Man can say he is free from Sin, or boast of his Righteousness. He explains at last several other Passages less express than the former.

The second Assertion is, *That it can be unanswerably proved in the Holy Scripture, That Men may be certain of that Grace which comes from Faith:* He proves this Proposition, in the first place, by the Example of several Persons who

have not only been declar'd Righteous in Scripture, but it has mentioned them as Men that were certain of their own Righteousness: Among others, of Moses and King Hezekiah, who speak with Confidence of their own Salvation; and of St. John Baptist, who was sanctified in his Mother's Womb; of St. Peter, who asserted so positively that he loved Jesus Christ; and of St. Paul, who directly affirmed, That a Crown of Righteousness was reserved for him: Secondly, by Testimonies of Scripture which he pretends to be favourable to his Opinion. He produces several; but none comes so directly up to his purpose as that of St. Paul, Rom. 8, 15, 16. *That Christians have received the Spirit of Adoption, whereby they cry, Abba, Father; the Spirit it self bearing witness with their Spirit, that they are the Children of God.* The Witness of the Spirit must be a clear, evident and certain Witness. To this Testimony he joins some other Passages of that Apostle, and of others which mention the Knowledge that good Men have of their being justified, still supposing that this ought always to be understood of certain Knowledge: This other Divines do not allow, and understand it only of a Confidence founded upon a moral Certainty.

The third Assertion sets forth, *That none of the Fathers contradict that Certainty of present Grace which he defends.* He there Answers some Passages of St. Bernard, St. Jerome, St. Augustine and St. Gregory, which have been urged against his Opinion.

In the fourth Assertion he labours to prove, *That there are infinite numbers of Passages of the Fathers for that Certainty of Grace which proceeds from Faith.* He does indeed produce several Greek and Latin Fathers, who speak of the Confidence, Belief, and Certainty which the Just have, that they are in a State of Grace, and that the Holy Spirit which is in them bears them that witness that they are the Sons of God.

The fifth Assertion is, *That the Schoolmen have varied and spoken obscurely upon that Question; and that St. Thomas and the first Schoolmen have rather denied that Certainty which comes from Knowledge; as the Philosophers understand that word, than that Certainty which proceeds from Faith.* He shews that when St. Thomas handled this Question he spake but of three sorts of Certainty: The first, of Revelation, which may have been granted to some: The second, of Natural Knowledge, which cannot be had: And the third, of that Hope which is acquired from such Dispositions of Heart as a Man feels in himself. Catharinus shews, That the Certainty which he contends for, is of this last kind; and tho' according to St. Thomas, it be imperfect, yet however it is certain, for all that, and it does not exclude the Certainty of Faith. He afterwards examines some Passages of Alexander Halensis, St. Bonaventure, and Scotus.

In the sixth Assertion he maintains; *That there are no Reasons to prove that Uncertainty, which those who are not of his Opinion admit.* He first replies to the Inconveniences which are alleged from Man's becoming lazy and arrogant by this Certainty. He says, on the contrary, That this Certainty will make a Man more ardent and vigilant in taking Care that he does not lose that Treasure which he is sure he possesses; and that the Charity which he acknowledges himself to have receiv'd from God, will be so far from puffing him up, that it will bring him to humble himself before him who has bestow'd upon him so great a Gift. Another Objection which is raised against him, is this, We have no certain way of knowing whether we have Charity or no: We cannot know it by its Cause, because this Grace depends solely upon the Will of God; and it cannot be known by its Effects, because Charity produces no Action which may not also be an Effect of natural Powers, or of acquired Habits. He replies that we cannot indeed know without Revelation, that we have received from God the Gift of Charity; but then there is no need of a particular and privileged Revelation; and Faith alone, infused with the Testimony of the Holy Ghost, are sufficient to assure us of it. He adds; That it is very false and heretical to say; that there is no Act of Charity which cannot be produced by our Natural Strength. For, said he, Man cannot, without Grace and infused Charity, love God above all things, and our Neighbour as our selves: Nor can he suffer genuine Martyrdom, for God and for Jesus Christ; that is to say, out of a true and sincere Love for God: Nor can he be under several other Dispositions, which Charity alone produces; such as spiritual Joy, which no Man knows but he that receives it; inward Peace which surpasses all Understanding, and which the World cannot give; and a Love of our Enemies: He confesses Christians may suffer Martyrdom and do Actions outwardly good for evil Ends; but he maintains; That these Ends cannot be hidden from the Man that is acted by them, no more than Hereticks can be ignorant that they are in Schism or Error, if they will examine Things sincerely and equitably.

But to this it is objected, If the Just know certainly, without a particular Revelation, by Faith alone, that they are justified; why has God revealed it in a particular manner to those

those to whom he had a mind to shew particular Favour? *Catharinus* pretends that their Privilege consisted in this, That *Of the Ecclesiastical* God not only acquainted them with the present State of Right-
Writers of teousness which they enjoy, but also let them know, that they
the latter were of the number of the Predestinate. He owns, that the Cer-
Part of the tainty which every particular Man has of his being justified,
Sixteenth is not a Certainty of Catholick Faith; because it is a particular
Century. Fact, which relates not at all to the Church: But then he af-
Ambro- firms, That this particular Proposition, *I am justified*, drawn
sius Ca- from two other Propositions; namely, first, I receiv'd Grace
tharinus. in Baptism; and then, I never lost it since, is certain; and the
 Prop sition, That whoever has the Grace of Baptism is just,
 is of Catholick Faith.

His seventh Assertion is, *That there are several Arguments which prove our having received Grace; the chiefest of which is, the Efficacy of the Sacraments, to which God beareth witness.* The general Design of Sacraments, is, to make Man know and believe that God worketh that inwardly in him, which is signified by those outward signs. We are certain, on one side, that the Promises of God must have their Effect; and on the other side, that God has fixed to these visible Signs, Graces which are infallibly granted to those who do not hinder themselves: And lastly, we may be certain, by our own Experience, that we are disposed to receive its effects. Then he applies this general Rule to all the Sacraments in particular, and rejects the Reason of the Incertainty of its producing its effects, which is taken from our not knowing whether the Minister intended to administer the Sacrament; and affirms, that the inward Intention of the Minister is not necessary to make the Sacrament valid.

His eighth, Assertion sets forth, *That this Certainty of Grace is not only manifested by the Virtue of the Sacraments, to which Jesus Christ beareth Witness, but also by their proper Efficacy, which is known by Experience and by an inward Sense.* Here he cites the noble Epistle of St. Cyprian to Donatus, in which that Father describes with so much Eloquence the wonderful Changes which Baptism had wrought in him. He cites also what St. Augustine says of the Disposition he was in after he had been baptized. He instances in the Strength and Generosity of the Apostles, after the Descent of the Holy Ghost, and the Sense of Piety and Devotion which attends a Holy Communion. He owns Men are sometimes deceived in their Tasts, and in the Sweets which they feel: But he pretends, that those who are truly humble, and full of Charity, can never be deceived in that Matter.

In the ninth Assertion he maintains, *That the Certainty of a State of Grace is known by the Pangs and Remorses of Conscience.* All Men have naturally a Testimony of their Consciences, which tells them whether their Actions are good or evil. This Light is farther strengthened by Faith, which purifies the Heart. *Catharinus* affirms, that a Man may easily know that his Heart is thus changed, purified and renewed; because he feels that he abhors the Crime and Sins which he did commit, and that he loves Virtue, the keeping of the Commandments, the Honour and Glory of God. If any Man is deceived, it is, because in his Opinion, they do not sufficiently sound the secret Foldings of their Hearts, and do not enough examine the Motions of their Consciences; which, whether they will or no, has Checks and Remorses when they are not pure.

The tenth Assertion is, *That the Certainty of the Gift of Charity is proved by the very Excellency of that Grace:* Because, if it be impossible that the Excellent Gifts of Nature and Education should be hid, it is yet much less possible that the Supernatural Gifts of Faith and Charity should be conceal'd. And Charity being the Pledge of Glory, we ought to be sure of having this Pledge, in order to be certain of that Reward. Now if we can certainly know that we have Faith infused, as St. Thomas allows, why can we not also know that we have Charity?

The eleventh Assertion is, *That the Holy Scripture teacheth us, that a Holy Man may easily and certainly know that he is in a State of Charity.* The Argument which *Catharinus* brings is this; Charity is nothing but the Love of God, the Participation of the Holy Ghost, and the Bond of Friendship between us and God. Now how is it possible that this Love can continue hid, and that God should not assure us, that he loves us, as we let him know that we love him, since it is the Nature of Love to give mutual Signs of Friendship? Prayer likewise supports the Certainty of Charity; for in praying we own God to be our Father; we thank him for the Love which he has shed abroad in our Hearts; we boldly ask the Kingdom of Heaven of him: And all this supposes that we are certain of our being justified.

The twelfth Assertion is, *That we may may certainly know whether we have inherent Charity, by our Works.* He proves this by reckoning up several Heroical Virtues, which can only come from Charity; and he particularly enlarges upon real Martyrdom, which he looks upon as a very certain Effect of Charity, and an unquestionable Proof of our being justified.

The thirteenth Assertion is, *That there is no Synodical Decision, or Censure of any University against his Opinion.* He shows, that the Decretal of *Innocent*, concerning Canonical Purgation can have no Relation to this Question, tho' this Pope seemed to have taken *Job's* Words in a Sense favourable to the contrary Opinion. He opposes to him the Ex-

plication of St. *Gregory*; and observes, that all that Popes alledge or say in their Decree is no Decision. As for the Council of *Trent*, he says that he has shewn in a separate Treatise, and in the Preface of this Work, that the Intention of the Fathers of that Council was not to determine any thing about this Question against the Opinion of any Catholick, but only against the Errors of Hereticks: That his Opinion has nothing in common with the *Lutheran* Error, as he has so plainly shewn, that his Adversaries have been obliged to own it: That the Title of the Decree, and the Preface, evidently shew, that the Council did not condemn his Opinion; for the Title runs, *Against the vain confidence of Hereticks.* Now who can say, that a Confidence recommended and prescribed in Holy Scripture, and by the holy Fathers, is a vain Confidence? The words of the Decree also shew, that the Fathers of the Council speak of such Faith as can never be mistaken: *cui non possit subesse falsum*, which only belongs to Catholick Faith. Now, adds he, we do not assert the Certainty of Catholick Faith, but such Certainty, as may and ought in some to exclude all manner of Doubtfulness and Fear, by the Evidence which the Holy Spirit inwardly gives them. To shew that the Faith, *Cui non potest subesse falsum*, is Catholick Faith, he says, that this belongs only to that Faith which has a common general Object, such as is approved by the Church, which cannot be said of the Certainty of the Righteousness which just Men may have, whose Object is particular, and not received by the Church, but by particular Men, and in which Men may be mistaken. The Articles of the Faculties of Divinity of *Paris* and *Louvain*, which were objected likewise against *Catharinus*, censure such a Certainty of Faith as *Luther* talk'd of; and so *Catharinus* maintain'd, that those two famous Universities did not strike at his Notion, which is very opposite to that of *Luther*; for, says he, *Luther* pretends, that the Certainty of Justification comes only from Faith, and of Catholick Faith, which all Men are bound to have: We on the contrary teach, that it proceeds not from Faith alone, nor from Catholick Faith. *Luther* pretends, that a Man cannot be certain of his Justification either by receiving the Sacrament, or by Works of Charity: We teach just the contrary.

Lastly, his last Assertion, *That those who have written against that Certainty which he defends, have written in such a manner as has favoured his Opinion; which is an Argument of its Truth.* To prove this, he says, That whilst his two principal Adversaries laboured to destroy his Opinion, they confirm'd it; that the first of them was forced to alter the State of the Question, by supposing that he admitted Catholick Faith; that that Author opposed only that single Opinion; that he alledged a very false Principle, namely, that infused Faith cannot extend it self to Facts which are neither expressed in the Holy Scriptures, nor determined by the Church; which Principle the second Author rejects. He adds, that they differ from one another in several other Points; that they have not produced Authority out of Scripture or the Fathers, nor strong Reasons; that they have answered his Arguments weakly: And, in a word, that they have both acknowledged, that just Men may be absolutely certain that they are in a State of Grace; And that tho' they declare that this Certainty is not of Faith, yet however they own, in some places, that it may challenge that Name: that this whole Dispute comes at last to be a Question about Words.

We have mentioned already a Treatise of *Catharinus's*, *Concerning the Immaculate Conception of the Blessed Virgin.* He wrote a second likewise, which he dedicated to the Council of *Trent*, in answer to a Tract of Cardinal *Turrecremata's*, which *Bartholomew Spina* publish'd, in which the Opinion of the Immaculate Conception of the Virgin was rejected, as contrary to the Honour of Jesus Christ; at the end whereof he sets down fifty eight Errors in the Faith, which he pretends are Consequences of the Doctrine of Immaculate Conception. The Zeal which *Catharinus* had for this Opinion, led him to write this Book, which he divides into two Parts. He defends his Notion in the first, and the Celebration of the Festival appointed in Honour of the Conception of the Virgin in the second. As he lays down the State of the Question, he owns, that the Virgin was by Nature subject to Sin and Death, and herein he places the Difference between her and Jesus Christ. He will not however allow that she actually contracted, not only no Sin, but even not so much as an Obligation of being in a sinful State; nor that she suffered Death as a Punishment for Sin, because at the Instant of her Conception the Condition of her Nature was changed; and she was never a Debtor to Death, no, not for a Moment.

Those that opposed the Notion of the Immaculate Conception at that time, boasted that they did it out of Zeal for the Honour of Jesus Christ, of the Virgin, of the Holy Scripture, of the Saints, and of the Church. *Catharinus* affirms, that this Zeal was false and groundless; that the Opinion of the Immaculate Conception of the Virgin does not hurt the Honour and Prerogatives of Jesus Christ, who was impeccable by his Nature; that this did not hinder his being the Redeemer of the Virgin; and that the Privilege granted to the Mother, is the Glory of the Son, to whom she owes it: That it does not follow from this Opinion, that St. Anne, or any

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any other Woman, besides the Virgin *Mary*, had the same Privilege; that neither the Scripture nor the Holy Fathers of the Church contradict this Opinion. that we ought not to rest upon the Doctrines of the Schoolmen; and that several of them are for Immaculate Conception. He endeavours to explain St. *Bernard's* Letter to the Canons of *Lyons*, by distinguishing two Conceptions; one, *Dum in coëundo Semina coalescunt in utero ad Generationem*; and the other, when the Soul is united to the Body. He pretends that St. *Bernard* spake only of the former; and that the Festival of that is what he rejects. *Catharinus* maintains, that all the Faithful are obliged to celebrate the Festival of the Immaculate Conception taken in the second Sense; and he builds upon the Constitutions of *S. Sixtus*, *Cum processu & grave nimis*, upon the Prayers of the Mass, and upon the Usage of the Church of *Rome*. He owns however, that the Constitution of the Pope permits Men to maintain the contrary, without being branded for Heresy: But then he affirms, that it does not allow a Permission of Preaching or Teaching publicly. He concludes with two Exhortations, one to the Dominicans, to persuade them to quit their Opinions, and the other to the Council, to desire them entirely to regulate that Matter, and to establish Uniformity in Worship.

Catharinus presented besides to the Council a sort of a Placart, concerning Predestination; in which he set forth his Notions upon that Matter for the Council to judge of them. He makes no scruple to reject in the Beginning St. *Augustine's* Notion concerning the Mass of Corruption, which, says he, did at that very time displease all the Bishops of *Gaul*. He consults the Council upon these following Opinions; I. Upon the Opinion of those who maintain that God, without foreseeing the Merits or Demerits of any Man, resolved from all Eternity to save a few, and to reject all the rest. An Opinion, which as he says, condemns it self thro' its own Cruelty. II. Upon the Opinion of those who say, that God is willing to save all Men, and to give them all Means to work out their own Salvation; and that Predestination comes from their Merits, and Reprobation from their Demerits; because some obey Grace of their Free-will, and others resist it. This Opinion he rejects as *Pelagian*. III. Upon the Opinion of those that say, that Predestination supposes a Knowledge of *Adam's* Sin, in as much as God having foreseen, that by this Sin all Men should become one Mass of Perdition, he resolved to draw out some Men from this Mass, and to leave all the rest in it, wherein Reprobation consists. He finds this Opinion to be involved in great Difficulties, and to be derogatory to the Redemption of Jesus Christ. IV. Upon the Opinion of those who make Predestination to depend upon a Foresight of Merit, and Reprobation of Demerit; that is to say, upon a good and ill Use of Grace. Neither does he approve of this Notion, because it make no Distinction on God's Part between the Predestinate and the Reprobate. V. Upon the Opinion of those who say, that God intended to save all Mankind; but then of them there are two sorts, some predestinated, who shall be infallibly saved; and others who are not predestinated, and so may be either saved or damned, God having prepared for them, and offered them upon occasion, sufficient Means to conduct them to Eternal Life; but yet in such a Manner, as that none of them shall ever obtain Everlasting Salvation. He rejects this last Clause; and then produces his own Opinion, which we have explained several times already, according to which, several of those who are not predestinated, not only may be saved, but really shall be so.

His next Treatise of the Excellent Predestination of Jesus Christ, contains the Reasons for which he pretends that Jesus Christ had come into the World, even tho' Man had not sinned; with his Answers to St. *Thomas's* Arguments, and *Cajetan's*, for the contrary Opinion.

Catharinus's Disputation about the Worship and Adoration of Images, contains Questions debated upon that Subject between Catholic Divines. He supposes at first, as a Matter out of doubt; that it is not an Action criminal in its Nature to paint or make any Statues. Then he enquires whether there is an absolute Prohibition in the Old Testament of making Images and Statues, or whether they are only prohibited in case of Adoration. He owns, the truest Opinion is, that the *Jews* were forbidden to make any thing that was painted or engraven by their own Authority, because of the Danger of Idolatry: But then this Prohibition regarded only what private Men should do of their own Authority, and not those Figures which God commanded to be made, such as the Cherubim, the Brazen Serpent, Oxen, Lions, &c. And God also represented himself to the Prophets under Images, as to *Daniel*, under the Figure of a venerable old Man, sitting upon a shining Throne, and cloathed with Garments as white as Snow, with Hair as white as Wool: But then it was not proper to represent him so to the People. He says, the same Prohibition was not made to the *Christians*, who understood what they should worship better than the *Jews*; and he endeavours to prove, that there were Images among them from the very Beginning of the Church: But the ancient Examples which he brings are all Suppositious or Fabulous. Then he goes on to the Worship which ought to be paid to Images. He rejects the Opinion of those who deny

that any Worship ought to be paid to them; and that also of those who would have them worshipped with the Worship of *Latria*. He is not for saying, that an Image, as such, ought to be adored with the Adoration of *Latria*: But then on the other side he is as little for saying, that no Worship ought to be paid to an Image, only that God should be worshipped upon occasion of the Image. Yet he owns, that all these Opinions come to the same thing; and that tho' Catholic Divines differ in their Expressions, yet at the Bottom their Doctrine is all the same. Having laid down these Principles, he draws the following Conclusions; I. That God, the Holy Trinity, the Angels, may be represented to us by Images. II. That there is no manner of Doubt but Jesus Christ, Incarnate, may be so too. III. That Images have several Uses, such as putting us in mind of the Benefits of God, being the Books of the Ignorant, raising us to imitate Jesus Christ whom they represent, &c. IV. That our blessed Saviour may be said to be adored in his Image. V. That Jesus Christ may be very conveniently worshipped with the Worship of *Latria*, in the Presence and upon the Occasion of his Images. VI. That there is a Sense in which it may be said that an Image may be adored with *Latria*, by substituting the Thing represented in the Place of the Representation, as when we sing, *O Cross our only Hope!* &c. which can only be true in this Sense, *O Jesus Christ, crucified, who art represented to me by this Cross!* &c. However he owns, that the Ancients never said, that Images ought to be worshipped with the Worship of *Latria*; and he does not approve of the using that Expression. VII. That the Images of Jesus Christ, of the Virgin, of Angels, and of Saints, ought to be respected; that they may be saluted, kissed, and worshipped, not with *Latria*, but with a lower Degree, not because of their Matter, but for the Things sake which they represent. He confesses, that several Fathers would never use the Term Adoration for any thing but *Latria*; but then he thinks it may be used generally for all Worship. He comes at last to the Abuses which may be made of Images, both Prophane and Sacred; of Prophane ones, by seeking after and erecting ancient Idols; of Sacred ones, by representing Apocryphal or Fabulous Histories, such as a Picture which he had seen, in which the Virgin is represented Lying-in, or placing them in places where they ought not to be, or making Pictures coarsely or indecently painted; or lastly, by suffering them to rot or be spoiled.

His Discourse concerning Sacrifices contains many Questions of Controversy. *Catharinus* there proves the Truth of the Sacrifice of the Altar by Holy Scripture, and answers *Luther's* Objections. He speaks of the Sacrifices of the Old Law, and shews that they were not able to expiate Sin. He there treats of the Priesthood of *Melchisedech*, and of Jesus Christ. He shews that the Sacrifice of the Mass is Propitiatory for the Living and for the Dead. In the last place he justifies the Canon of the Mass, and reprehends several Abuses.

In the Treatise in which he handles this Question, *By what Words Jesus Christ consecrated the Sacrament of the Eucharist?* He asserts the Notion of Pope *Innocent III.* and Pope *Innocent IV.* That our Lord did not consecrate by these Words, *This is my Body*, which are declaratory, and not operative in their own Nature, but by his Virtue; and that he afterwards expressed the Form which others made use of to consecrate. He chiefly builds upon the Order of the Words in the Evangelist, who expressly says, Our Lord gave Thanks, and blessed the Bread and Wine, before he pronounced the Words, *This is my Body, This is my Blood*. He afterwards drew up another little Tract upon the same Subject, to confirm the former.

His Discourse concerning Communion under both kinds is Polemical. *Catharinus* there answers the Objections which were made concerning the Necessity of communicating under both kinds. Towards the latter End, he enquires whether it be more or less convenient that the Laity should communicate under both kinds, or but under one? He owns, that if we consider the outward Sacrament, it is more agreeable that they should communicate under both: But if we consider the Body and Blood of Jesus Christ, which it contains, it is more proper that they should communicate only under one, because of the Danger of shedding. At last he sets down the Conditions under which he thinks the Communion may be allowed to the Laity under both kinds. These Conditions are, if they profess to believe; I. That Jesus Christ is whole and entire under each kind; and that more Grace is not receiv'd by receiving both, than if only one were receiv'd. II. That there is but one visible Church, under one single chief Vicar of Jesus Christ, upon Earth. III. That it is better to abstain from the Communion under the Species of Blood, when there is danger of Effusion or Irreverence, than to receive it with that Danger. In his next Treatise, he proves, that the actual Reception of the Eucharist is not necessary for Children; and he answers the Passages of Scripture and Traditions which are alledged to prove the contrary.

His little Tract, concerning the Intention of the Minister of the Sacraments, is very Sensible. *Catharinus* there maintains, that it is not necessary that the Minister should intend to do a Holy Thing, but that it is sufficient that he should administer the Sacrament of the Church; and that he intends to

do that when he outwardly performs the requisite Ceremonies, tho' he may inwardly design to do all this in Jest and ecclesiastical Mockery. He proves against *Cajetan*, that *St. Thomas* required no other Intention in the Minister of the Sacraments. He shews at the same time, that there is no other required in him that receives the Sacraments.

He wrote also a little Tract upon this Question, whether the Right of absolving in *Foro Penitentiae* belongs to the Power of Order, or of Jurisdiction? And he decides it by saying, that it supposes a Power of Order, but is exercised by the Power of Jurisdiction; that the Priests have not now one of them without the other; and that they have no need of any new Power to give Absolution; but that they cannot give it validly, if they have not Subjects on whom they may exercise their Power.

In his *Memorial* concerning the Character which the Sacraments imprint in the Soul, after having summarily produced the Testimonies of the Fathers, and Decisions of Councils, which are made use of to prove that some Sacraments imprint a Character, he maintains that that Character is a real Quality, and not a bare Relation of Reason; and treats also of some other School Questions.

The Discourse of the Difference between *St. John's Baptism* and *Jesus Christ's*, and of the Baptism of Infants, contains nothing new upon these Subjects. In this last he falls upon *Cajetan*, who put a Difference between the Baptism of Children and Adults; and said this last was perfect, and the other not.

There is no Sacrament, concerning which there are more Difficulties, than Marriage. To clear them, *Catharinus*, wrote a Discourse, in which he resolves several Questions concerning Marriage. The first is, whether Marriage is a Sacrament, and what is its Matter and Form? Nothing seems clearer to him, in Holy Scripture, than the Quality of Sacrament given to Marriage, since *St. Paul* says, *Sacramentum hoc magnum est, ego autem dico in Christo & in Ecclesia. This is a great Sacrament, but I speak in Christ and in the Church.* And yet this Passage labours under several Difficulties, which *Catharinus* proposes and solves. He confesses, that the Master of the Sentences and some Canonists do not believe that Marriage produces Grace; but he is not of their Opinion, and thinks the Matter is the Consent of the married Couple, and consequently the Words by which it is expressed, and the Form the Words of *Jesus Christ*, who says, *A Man shall leave his Father and Mother, and cleave unto his Wife.* He thinks *Jesus Christ* is the Minister, and not the Priest, whose Ministry is requisite only for solemnity and blessing. He maintains Marriage to be a Sacrament before the carnal Union of the married Couple; but he does not think it is indissoluble, because he believes it may be dissolved by the entering of one of the two Parties into a Religious House. He speaks with much Vehemence against second Marriages. He believes Marriage would have been a Sacrament in the State of Innocence; but that it would not have been one in the sinful State of fallen Man: But yet it was so in the State of repaired Nature before *Jesus Christ* came, tho' it acquired that Quality only by him, and consequently is rather a Sacrament of the New Law than of the Old; and accordingly was confirmed and perfected by *Jesus Christ* after his coming. He proves very largely, that *Clandestine Marriages*, contracted without Witnesses, without the Blessing of the Priest, and without Consent of Parents, given to those who are under their Power, are null. He pretends that the hindrances of contracting Marriage, not only between Brothers and Sisters, but also between near Relations; are founded upon a Divine and Natural Law, and so is difference of Religion. He maintains also that Plurality of Wives is forbidden by the Divine, Natural, and Evangelical Law. He proves, that solemn Vows and holy Orders make Persons incapable of contracting Marriage. He does not so much as think that the Pope can give a general Permission to those that are in holy Orders, to marry or to keep the Wives, whom they have already. At last *Catharinus* examines that famous Question, whether the Marriage Bond be dissolved by the Adultery of one of the two Parties, and whether they may marry again: And he determines, I. That according to the Words spoken by our Saviour, which *St. Matthew* relates, it appears to be permitted to the Husband to leave his Wife for the Cause of Adultery, and to marry another. II. That our Saviour does not make the same Exception in favour of Women. III. That the Husband ought not to leave his Wife, if he has Reason to think she will commit Adultery by remarrying. IV. That if the Husband, who puts away his Wife for Adultery, should marry again, he would not be an Adulterer, and would do no injury to his Wife, to whom he no longer owes conjugal Fidelity; but yet that he cannot lawfully do it because of the Holiness of Marriage. V. That he thinks the Pope, nay even Bishops, may dispense with such a Man, if he cannot contain nor be reconciled to his Wife, and allow him to marry. VI. That an Adulterous Wife is not released from her Obligation to her Husband by the Separation, since even those that are free may be forbidden to marry, as a Punishment of a Crime.

In his Discourse of the Canonical Books of the Old and New Testament, concerning which Doubts have been raised, he brings Proofs of their being Canonical, and answers the Objections which are usually brought against it. He treats also largely of the Author of the Epistle to the Hebrews. He declares in a separate Discourse against translating the Scriptures into the Vulgar Tongues; being carried away with the Prejudices which the Mischiefers that unfaithful Versions of the Scriptures had occasioned in his time.

Catharinus's Treatise about punishing Hereticks, was written upon the Question which had been made him, whether Capital Punishments enacted by several Civil Laws against Hereticks, and approved by the Decretals of Popes, be of Divine Right? This Question, contains several within it: First, Whether the Law of God does explicitly command us to put Hereticks to death? Second, Whether it does not command it, it forbids it? Third, If it is neither forbidden nor enjoined by the Law of God, in favour of which of these may we draw our Consequences? As to the first Question, we must distinguish and say, that under the Divine Ordinances of the Old Law they were commanded to put Hereticks to death, but not under the New Law, which is a Spiritual one, whose greatest Punishment for any manner of Crime is Excommunication, which is a Spiritual Sword, and more to be feared than any Temporal Death. He objects to himself the Action of *Jesus Christ*, who drove the Money-Changers out of the Temple with Whips; of *St. Peter*, who killed *Ananias* and *Sapphira*; and of *St. Paul*, who smote a Magician with Blindness. These Examples, says he, cannot be applied to any ordinary Laws, as being Effects of the Almighty Power of God. Upon the second Question, he in the first place proposes the Parable of the Tares, which our Lord says ought to be left to grow with the good Grain till the Day of Judgment; whence some inferred, that Hereticks ought not to be punished in this World. He answers, that our Saviour gave no Law in this Parable, but only foretold that which should happen in the Church unto the End of the World, that the Wicked shall be mixed with the Good. Then he affirms, that neither that Parable, nor any other Passage in Holy Scripture, prove it to be forbidden by the Law of God to punish Hereticks with Death. In the third Place he produces several Objections against punishing of Hereticks, which the Person to whom he wrote had proposed to him; and he answers them. The Arguments which were proposed were very difficult, and perhaps every body will not be satisfied with his Answers.

Catharinus also wrote a Discourse upon a Question debated in the Council of *Trent*, whether Residence of Bishops be of Divine Right? He maintains the Negative, and pretends to prove, that the Actual and Personal Residence of Bishops in their Dioceses was only of Ecclesiastical Right. This Discourse was printed in 1547; and some Body having undertaken to refute it, *Catharinus* wrote a second Treatise upon the same Subject, full of Sharpness against his Antagonist. This was not the only Article which was found fault with in the Works of *Catharinus*. When he was at the Council, and ready to be promoted to his Bishoprick, a famous Doctor, whom he would not name in his Reply, because he was willing to spare his Memory, drew up a Catalogue of fifty Articles, which he sent to *Rome*, under the Title of, *The Errors of Catharinus*. When he had received a Copy of it, he drew up an Answer which he sent to the Pope. There he affirms, that his Adversary charges him with Notions which he does not hold, changing his Words sometimes, or adding to them, or sometimes taking them in a wrong Sense; and taxes him with Error for maintaining Notions held by very Learned and very Catholick Doctors; and reprehends him for Opinions which are freely debated in the Schools. The first Article, and the following ones, concerning the Truth or Falshood of Propositions, relating to contingent Futurity, are of this last kind. His particular Notions concerning Predestination are repeated in several Articles. There are also several Articles relating to original Sin, and the condition of Man in different States. The last relates to his Discourse concerning the Dissolution of Marriage for the sake of Adultery. This Reply of *Catharinus* is dated at *Trent*, September 17. 1546.

There is also a small Tract of *Catharinus's* of Baptizing the Infants of Jews. Herein he asserts, I. Jewish Infants ought not to be baptized till they have the use of their Reason, without the Consent of their Parents. II. That Baptism administered under such Circumstances would be null, and would produce neither a Character nor Grace in him that should receive it; but would be the same with the Baptism of an Adult Person, who should know nothing of the Matter, and should neither wish for it, nor desire it. III. That as soon as Children begin to have the use of their Reason, and are instructed, they may be lawfully baptized, even against their Parents Will. IV. That the Age of giving Baptism to Children, against their Parents Will, ought not to be fixed to fourteen Years, nor even to a certain Number of Years; but that Men ought to judge prudently, according to the Light, the Capacity and the Disposition of the Children.

Catharinus writes very Politely for a Schoolman. He handles his Subjects with great Clearness, Method and Extent. He is not contented with treating Superficially of Things; he goes to the Depth, and brings all that can be said with greatest Strength on both Sides, and lays down his Opinion boldly: He proposes his Adversaries Objections without the least lessening of their Strength, and answers them as solidly as he possibly can. He never binds himself to follow St. Thomas, or any other Divine; and never embraces the Opinions of any one Sect in the Lamp. He is very free, some-

times even rash, in his Assertions; and makes no scruple of leaving the common Opinion of Divines to walk in new Roads. His Notion about Men's being certain that they are justified, is at last reduced to a Dispute about Words. He seems to be of the Right side in the Matter of the Priests Intention in giving the Sacraments; and his Opinion has since been followed by the most able Divines, and is become at present the most common in the Schools. His System of Predestination is very extraordinary; and he is followed in it by no body.

Ambrosius Catharinus.

ISIDORUS CLARIUS.

Isidorus Clarus was born in the Year 1495. in the Castle of *Claro* near *Brescia* in *Italy*, from whence he took his Surname. He consecrated himself to God in the earliest Years of his Life, and was profest in the Order of St. *Benedict*, in the Congregation of *Mount Cassin*. Being a Man of excellent Parts, he made great Progress in a short Time in the *Belles Lettres*; learn'd the *Hebrew*, *Greek* and *Latin* Languages; applied himself to the Study of the Holy Scriptures; and acquired a great Reputation by his eloquent and learned Discourses. In his Person he joined to Christian Doctrine, chaste Manners, a pure Conversation, and a Spirit that breathed nothing but Charity, Reformation of Manners, the Peace of the Church, and the Re-uniting of all Christians. His Merit raised him to the Dignity of Abbot of St. *Mary de Cesena*. Pope *Paul III.* had a particular Regard for him, and sent him to the Council of *Trent*, where in the fifth Session, which was held June 17. 1546. he assum'd the Quality of Abbot of *Pontida* near *Bergamo*. He was admir'd in the Council for his excellent Speeches; and he was probably in the Council when *Paul III.* gave him the Bishoprick of *Foligno* in *Umbria*. He quickly retired thither, and instructed his People as much by his Example as by his Word. He was charitable to the Poor, and employed his whole Revenue to help their Necessities. When he had governed the Church of *Foligno* in this manner for seven Years together with wonderful Assiduity and Vigilance, he died of a violent Fever, when he was sixty Years of Age, May 28. 1555. being generally lamented by all his People, who ran in Troops to his Lodgings, to see and kiss his Body, which was exposed there for forty Hours together.

Isidorus was a very laborious Man, and understood *Hebrew* and *Greek* well, which led him to undertake two considerable Works upon the Scriptures, one to reform the *Vulgar Latin* of the whole Bible, the other to make literal Notes upon such Passages as might seem difficult. In his Version he reformed several Places by the Original Text. He own'd however, that he did not correct all the Places which he might have done; and that in those where the Sense of the *Vulgate* was not very distant from that of the *Hebrew* Text, he changed nothing in the Version, only set down the Differences of the *Hebrew*; because, if he would have corrected every Passage in his Version scrupulously and exactly by the

Text, he might have given offence to Catholick Ears; and he could not have brought about what he proposed to himself, which was, so to reform the *Vulgate*, that it should not be entirely disguised. And though he has done this with Moderation, yet he assures his Reader, that he has corrected above eight thousand Passages. His Notes upon the Old Testament are mostly taken from the Annotations of *Munster*, particularly in those Places where there is any Jewish Learning. Those that he wrote upon the New Testament are more Ethical. He follows the Sense of the *Greek* Text, and the Explications of the *Greek* Fathers. His is one of the learnedest, solidest, and usefulest Works which had been made upon the Bible. However, the first Edition, which was made at *Venice* in 1542. was put into the *Index Expurgatorius*, chiefly because of his Manner of treating the *Vulgate* in his Preface: But these Prohibitions were taken off by the Deputies appointed by the Council of *Trent* to examine Books; and his Work was allowed, all but the Preface and the *Prolegomena*. It was afterwards very well printed at *Venice* in 1564.

Isidorus Clarus was, as we have already observed, one of the most famous Preachers of his time. A Collection of his Sermons has been made with Care, which was printed in his Life time, and after his Death. We have sixty nine Sermons of his upon the Sermon of our Saviour upon the Mount, printed at *Venice*, in 1546. and 1566. Fifty four Sermons upon the Gospel of St. *Luke*, *ibid.* in 1565. Two Volumes of Occasional Discourses, in which he explains some remarkable Passages of the *Old and New Testament*, *ibid.* in 1569. and 1577. Two Discourses of *Justification* and *Glory*, spoken in the Council of *Trent*. An Exhortation to Re-union, address'd to those who are separated from the common Sense of the Church, printed separately at *Milan* in 1540. and afterwards at *Paris*. Another Discourse concerning the Moderation which a Christian ought to observe in the Use of Riches, printed at *Milan*, in 1540. He likewise wrote two Discourses upon the ninth Chapter of the Epistle to the *Romans*, and three Books upon the fifteenth Chapter of St. *Paul's* first Epistle to the *Corinthians*, which were never printed, *Isidorus Clarus* wrote easily, and cleanly; and was one of the most learned Men of that Time.

JOHANNES GROPPERUS.

Johannes Gropperus was born at *Zoest* in the Diocese of *Cologne*, in the Year 1500. He study'd the Law; was made Doctor: had the Reputation of an able Man, and was employed by the Archbishop in the Diocese of *Cologne*. He was one of those whom the Emperor employed to defend the Catholick Cause at the Dyet of *Ratisbona*. He was look'd upon, as we have observed already, to be the Author of a Paper there proposed for an Union. When he was returned into his own Country, he vigorously supported the Interests of the Church and Clergy of *Cologne* against Archbishop *Herman*, who was for introducing there the new Reformation. In 1547. he was advanced to the Provostship of the Church of *Bonne*, upon the Deprivation of *Frederick* Bishop of *Munster*, Brother to the Archbishop of *Cologne* that was deposed. He was also Archdeacon of *Cologne*. He went to the Council of *Trent* with the new Archbishop of that City, where he gave his Opinion with great Boldness concerning Appeals. *Paul IV.* being willing to recompence his Zeal, named him Cardinal in the Promotion which he made, December 20. 1555. But *Gropper* refused that Dignity which other Men seek after with so much Application. The Pope, who reckon'd that the Advice and Council of such a Wise Man would be of great use to him, sent for him to *Rome*, where he died March 9. 1558. being 57 Years and 18 Days old.

Gropper's Writings are, *A Catholick Institution or Instruction*, with an Introduction to a more perfect Knowledge of the Christian Religion, printed at *Cologne* in 1546. 1550.

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and 1556. And, *A Treatise concerning the Eucharist*, written by him in high *Dutch*, translated into *Latin* by *Sarius*, and printed at *Cologne* in 1550. and 1560. This is the first Treatise in which the Controversie concerning the Eucharist is handled at large in its full Extent. It is divided into four Books. In the first he proves the real Presence of the Body of Jesus Christ in the Eucharist, by Holy Scripture, and by the Tradition of the Holy Fathers. He there shews that the Words of the Institution of this Sacrament ought to be understood of the Real and True Body and Blood of Jesus Christ; and that they cannot be understood in a Tropical and Figurative Sense; and shews what the entire Tradition of the *Greek* and *Latin* Fathers was, in order to prove that Truth. He makes judicious Reflections upon those Passages; shews their Force; draws necessary Inductions from them, and answers those which were usually urg'd on the contrary. In the second Book he shews, that the True Body of Jesus Christ is not only in the Eucharist at the Time when it is given or received, but that it stays there after Consecration; and that the Church has Reason to preserve it for future Communions. In the third Book he treats of the Adoration of the Eucharist; and proves, that the Body of Jesus Christ which is really present in the Eucharist, ought there to be worshipp'd; and that it has been the Practice of the Church in all Ages to worship it. He treats also of Processions, of the Elevation, of Miracles, and of the Feast of the Holy Sacrament. The last Book is of *Communion under one kind*. He undertakes there to shew, that this Communion is not contrary to the Institution or Precept

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of Jesus Christ; that it has several Examples in Antiquity to warrant it; and that Councils have approved of it, and ordered it to be observed for good Reasons, till it should be otherwise order'd by the Judgment of the Church.

Gropper treats of these Matters with great Method and Solidity. The only Principles which he builds upon, are the

Johannes Gropperus.

Johannes Bunderius.

JOHANNES BUNDERIUS.

Johannes Bunderius of Gaunt, a Dominican, Prior of a Convent of that Order at Gaunt, Doctor and Inquisitor in Flanders, composed several Treatises of Controversie, namely, *An Abrigment of the Points of Divinity which are controverted between the Hereticks and Catholicks*, printed at Paris in 1559. and 1574. *A Conference between four Doctors of the Latin Church, St. Ambrose, St. Jerome, St. Augustine and St. Gregory, and*

Scriptures, the Tradition of the Holy Fathers, and the Decisions of Councils. He launches out into no personal and particular Disputes, but keeps himself wholly to his Point, to prove the Doctrine before him. This is one of the best Books of Controversy which we have.

Of the Ecclesiastical Writers of the latter Part of the Sixteenth Century.

Johannes Gropperus.

Johannes Bunderius.

Thirty Articles which are disputed by Hereticks, printed at Paris in 1574. and 1577. *The Buckler of Orthodox Faith against John Anastasius Velvanus*, printed at Antwerp in 1567. *A Treatise of Baptism against the Anabaptist Menno*, printed at Louvain in 1553. and at Paris in 1574. *A Treatise, intituled, A Discovery of the Impertinencies of Luther, with a Refutation of the Opinions of the Lutherans*, printed at Louvain in 1551. Bunderius died at Gaunt, June 8. 1557.

ALFONSO de CASTRO.

Alfonso de Castro.

Alfonso de Castro.

Alfonso de Castro, a Spainard, born at Zamora, a Friar of St. Francis's Order, was one of the most famous Preachers in Spain. His Merit made him be considered by Charles V. and Philip II. He accompanied this latter into England when he went thither to marry Queen Mary. He staid long in the Low-Countries, and was there when he was nominated to the Archbishoprick of Compostella, vacant by the Death of the Cardinal of Toledo; but before he received his Bulls, he died at Brussels in 1558. aged 63 Years.

The great Work of *Alfonso de Castro* is his Treatise against all Heresies, divided into fourteen Books. It is a Work partly Historical, partly Polemical. *Philastrius* and *St. Augustine* had written but a very succinct Account of Heresies. *St. Epiphanius* treats of this Argument much more at length. Since that Father, *Gus de Perpignan* and *Bernard de Luxemburg* wrote universal Histories of all Heresies to their own Times. *Alfonso de C.* undertook to write upon the same Subject; but instead of following the Chronological Order of Heresies in his Work, which was the most Natural, he sets down Heresies under the Title of Errors, according to their Subjects, in an Alphabetical Order. The particular Method which he observes, is, after he has set down the Title of the Heresies which have risen upon any Subject, to name their Authors, their principal Disciples; any that have revived them; and then to refute their Errors, and produce the Decisions of the Council which condemn'd them, and the Authors who have refuted them. For instance, under the Title of *Adoration*, which is the first, he mentions two Heresies: The first, that the Cross ought not to be worshipped at all; The second, that the Eucharist ought no to be adored. He observes, that *Claudius Taurinensis* was the Author of the first, which was revived by *John Wickles*. Then he gives a History of *Wickles*, and quotes several Passages of Scripture for the Adoration of the Cross: After which he explains wherein the Worship paid to it consists, saying, that we kneel before the Cross, only because we remember that Jesus Christ was nail'd to that Cross, or another like it; and that we thank him for that extraordinary Benefit; and so all the outward Signs of Respect and Adoration which are paid to the Cross are only Signs whereby we declare, that we believe Jesus Christ to have been fasten'd upon the Cross for our sakes, and profess to be his Servants: And lastly, that though we outwardly adore the Cross, yet our Minds are carried to that which it represents. When he speaks of the second Heresy he makes *Oecolampadius* to have been its Author, whose Life he describes. He afterwards refutes that Heresy, by shewing, by Passages of the Fathers, that Jesus Christ ought to be worshipp'd in the Eucharist; and at last urges the Decree of the Council of *Trent*.

This History of particular Heresies, begins only at the second Book, the first being taken up with resolving general

Questions concerning Heresy. Heresy he defines to be an Error contrary to the Orthodox Faith. Then he examines what the Canonical Books are which ought to be used in refuting Heresy; and he thinks nothing but the literal Sense ought to be made use of. He proves, that the Church ought to determine the true Sense of Holy Scripture in matters of Doctrine. He maintains, that some things ought to be believed though they are not written, if they be founded upon Tradition, and the Definitions of the Church. He shews, that general Councils represent the Universal Church, and are Infallible. He questions the Infallibility of the Pope. He does not think that the Authority of any particular Father is sufficient to condemn any Dogm as Heretical; but only their unanimous Consent, which is a Proof of the Faith of the Church. He believes, that it only belongs to the Pope and Council to judge of Heresy. To be condemn'd as a Heretick, a Man must obstinately defend an Error which is contrary to the Faith. Those that doubt of an Article of Faith, are also Hereticks if they persist in that Doubt. Love of Glory, Interest, or Libertinism, are the most usual Causes of Heresy. Reading of Profane and Heretical Books, and Commerce with Hereticks, often contribute to pervert Men. The Disorders of the Churchmen, and the Irregularities of the Clergy, have also given occasion to Heresies. Negligence of Pastors have frequently fomented them: Want of Preaching the Word of God have caused them in some Places. Lastly, he pretends that ill Translations of the Scriptures into vulgar Languages, have also contributed to pervert some Men's Minds. The ordinary Signs by which Hereticks are known, are a Love of Novelties, Obstinacy in Error, and Impatience when they are reprehended or confounded.

Alfonso de Castro wrote this Book in 1534. It was printed several times in France, Germany and Italy, before the Year 1556. when he set forth a much larger Edition, dedicated to Philip II. printed at Antwerp, and reprinted at Paris in 1550. *Franciscus Fevardentius*, a Franciscan, published afterwards a new Edition at Paris in 1570. in which he added three Books against forty Heresies which *de Castro* had not touched upon. He added also a second Volume, containing the other Works of the same Author, which are three Books of the just Punishment of Hereticks, and a Treatise concerning the Force of Penal Laws; which had been printed before at Lyons in 1556. and 1568. Twenty five Homilies upon the fiftieth Psalm, and twenty four upon the thirty first. *Alfonso de Castro* wrote also a Commentary upon the twelve minor Prophets, printed at Mentz in 1577.

This Author wrote tolerably well. He had read much, but was much more skilful in Matters of Controversie than History. He is much larger in his Confutation of modern Heresie, than in his History of the Ancient ones.

REGINALD POLE.

Reginald Pole.

Reginald Pole.

Reginald Pole was Son of Richard de la Pole Duke of Suffolk, Cousin-German of Henry VII. King of England, and of Margaret, Daughter of George Duke of Clarence, Brother of Edward IV. He was born in March, 1500. and applied himself early to his Studies, and was taught when he was young by *Linacre* and *Latimer*. When he was eighteen Years old he went to Padua, where he perfected his Studies by the Familiarity which he contracted there with learned Men. In 1525. he went to Rome; and after he had staid some time there he came

back again to England, where he might have made a great Figure, if he would have yielded to the desires of Henry VIII. But he entering into Queen Catherine's Party, and disapproving of Henry VIII's Divorce, and his Rupture with the Holy See, was obliged to leave England and to retire into Italy. Henry being furiously enraged at him, caused him to be attainted, and put to death several of his Relations who were suspected of corresponding with him. Pope Paul III. created him Cardinal in an extraordinary Promotion which he made December 12. 1536. He was soon

soon after sent by the Pope into France, as Nuncio, to treat there of a Peace between the Emperor and the King of France. He went as far as Paris, and was well received there; but the King, who was afraid of angering the King of England, who solicited him not to suffer Pole to stay in his Kingdom, would not see him, nor suffer him to go to Hesden, but ordered him to leave the Kingdom. Pole retir'd to Cambray, and was in great danger of his Life, because Henry VIII. had set a Price upon his Head. When he was returned to Rome, he was one of the three Cardinals whom the Pope chose in 1542. to send to the Council of Trent, and who were sent thither in 1545. He got thither some few Days later than the two others, and was constrained by Sickness to go away seven or eight Months before them to go to Padua; from whence he came back to Rome, where he lived a private Life, at a great distance from the Court. He was retired to a Village near the Lago-di-garda when Mary was declared Queen of England in 1553. He immediately was considering how the Catholick Religion might be restored in that Kingdom; and he was named by the Pope to go thither as Legate. The Emperor stopp'd his Legation, fearing, as was thought, that his Journey might put some stop to the Marriage which he negotiated between Queen Mary and his Son Philip; either because the Queen might think of marrying Pole, who being as yet but Deacon, might easily obtain a Dispensation from the Pope, or because Pole did not approve of the Spanish Match, which he looked upon as contrary to the Interests of Religion and State. Pole however went on his Journey, but slowly, and was stopp'd at Dillingen by express Orders from the Emperor. He was afterwards employed to negotiate a Peace between the Emperor and the King of France; and went for that purpose to find the King. But not succeeding in that Negotiation, he was ill received by the Emperor, who started several Difficulties concerning his Legation; but these Difficulties being at last all removed, Pole arrived at London in November 1554. and was well received by Philip and by Queen Mary, who got the Attainder, which pass'd against him in Henry VIII's time to be repealed. He laboured hard to reunite those who were separated from the Church of Rome; but he was always of opinion, That it would be better to use mild Methods, than those excessive Severities which the Ministers of the Queen exercised. He was nominated and ordained Archbishop of Canterbury in 1555. and had like to have been chosen Pope after Julius III's Death. Pope Paul IV. had a mind to recal Pole, and did recal him to Rome in 1557. He named Peyto to fill his Place; but Queen Mary would not receive him, and hinder'd Pole's Bull of Revocation to be executed. At last, that Queen dying, November 17. 1558. Pole survived her but sixteen Hours, leaving very little Riches, and an Immortal Reputation for Learning and Piety.

Cardinal Pole's Treatise concerning the Pope, the Vicar of Jesus Christ upon Earth, and concerning his Duty and Power, is written by way of Dialogue between him and the Cardinal of Urbin. He begins with shewing, That Jesus Christ left, not as God, but as Man, a Vicar upon Earth; that he left St. Peter his first Vicar; that he intended that Vicariat to be perpetual in his Church; and that the Bishops of Rome succeeded St. Peter in his Primacy. Then he treats of the Dignity and Prerogatives which are annexed to it. The Vicar of Jesus Christ is the Pastor of the Church by way of Excellence; he has a Right to confirm other Pastors; he is the first Minister of the chief Head of the Church, the Minister of the Mercy of God, as Kings are Ministers of his Justice; and he received the Keys to guide the Flock to eternal Life. He applies that Prophecy of Isaiah, which belongs to Jesus Christ, *Parvulus natus est nobis*, to the Pope: Not that the Qualities there ascribed to our Saviour belong in the same manner to his Vicar, but proportionably and by imitation. He pretends that the Pope represents the Qualities of Lamb, Angel, Father of the World to come, Prince of Peace, and even that of God, so far as in his Ministry he represents the Humiliation and Exaltation of Jesus Christ; that as Jesus Christ sat upon the Throne of David, so he causes his Vicars to sit upon it also, who are to procure eternal Peace to the Church. Pole, after that treats of the Duty of Pastors, and takes notice, that the hard and servile Government of the old Law, was changed into a Law of Gentleness and Mercy; that however, the chief Pastor ought sometimes to use Severity, but then Gentleness ought always to surpass Justice; that in the Choice of Pastors, we ought to have more regard to the Zeal which Men have for Religion than to other Qualities; and that the more a Man is like to Jesus Christ, the less he is thought proper in this World to be his Vicar; that the chief Pontiff cannot better support his Dignity, than by attributing none of the Honours and Prerogatives of his Charge to himself, but all to God. The second Part of this Treatise is about Questions relating to the Pope's Power over Councils and Kings. Thereupon Pole says, that the Pope's Authority is never greater than in a general Council, which represents the universal Church, where the Pope, who holds the Place of Head, has received from Jesus Christ a Right to confirm the Brethren; that St. Peter did this in the Council

of Jerusalem, and the Popes, his Successors, in other general Councils; that the chief Minister there declares the Doctrine of Jesus Christ; and that all the rest giving their Concurrence, make those Definitions in general Councils which have so much Force and Authority; that Assemblies which have not the Spirit of the Vicar of Jesus Christ, such as the Council of Arminum, let them have been never so numerous, have never past for general and lawful Councils. He ventures to assert, that general Councils add no Authority to Popes; on the contrary, they receive it from them; and that Bishops there receive Law and Doctrine from the chief Pontiff, as the Apostles received it from Jesus Christ. But if it should happen that Popes should abuse their Authority to the Scandal and Damage of the Church and Councils, that the Pastor should become a Wolf, and his Sins should prejudice the whole Flock, he is then for having the Faithful to recur immediately to Jesus Christ, and for the Bishops and Councils afterwards to admonish him of his Faults: But he thinks they cannot judge or depose him. He confesses however, that the Bishops are not obliged to obey him in things contrary to the Law of God, and the Good of the Church; and that if he becomes a Heretick, or mad, Men are no longer obliged to obey him; and another may be put in his place, if there is no probability of his recovering his Understanding. He tells Popes, that the best way to keep up their Authority, is not to suffer the Decrees of Councils to be violated, tho' he may dispense with them for necessary Causes, and tho' it belongs only to him to judge of the Reasons why he gives any such Dispensation. He shews how much it is the Interest of Kings to support the Authority of Popes. He believes the Authority of Popes would have greater Effect towards the Reformation of the Church, than all Councils, provided Princes would support them. He blames the Popes who engage themselves in evil Matters for temporal Advantages, which he calls coming down from the Cross; he would not however have them neglect their Patrimony: He pretends, that though the Apostles had not Cities to govern, nor Kings to obey them, yet they taught the most perfect Politicks for governing of Kingdoms; and that when St. Peter and St. Paul established Christianity at Rome, they laid the Foundation of a new City, which was not to be shaken, and which owes all its present Greatness to them. He exalts the Papal Power much above the Regal, and pretends there is no more comparison between them, than between the Sun and Moon. Last of all, he tells the Cardinal of Urbin, that in order to chuse a good Pope, he ought ardently to desire of God to let him know whom he has chosen. This Treatise was written during the Conclave in the Year 1550.

Pole's Treatise of Councils is written after the same manner, and turns upon the same Principles. He wrote it when he was nominated to go Legate to the Council of Trent, and address'd it to his two Colleagues, to instruct them in their Power and Duty: And because they were sent to a general Council, he begins with raising numbers of Questions which he proposes, concerning a general Council: Then he lays down the same Principles as we have mentioned already, concerning the Vicariat of St. Peter and of his Successors, and their Authority in Councils. He pretends, that all that the Prophets said of Jerusalem, was fulfilled in the Church of Rome: And that as all the Jews were to go to Jerusalem to pray, and offer Sacrifices, so all Churches ought to conform to the Church of Rome in Matters of Doctrine. He observes, that Emperors and Kings who were not in the first Councils, were present at them afterwards, and are there Vicars of Jesus Christ, not indeed as the Pope is, in spiritual Matters, but to provide for the temporal Concerns of Bishops; to procure the Peace of Councils; to keep them quiet; and to bring back by their Authority the Sheep that are gone astray. Then he proposes the Ends for which this Council was to be held, and assigns three principal ones; The Extirpation of Heresies; the Restoring of Ecclesiastical Discipline; and the Securing of Peace among Christian Princes. To succeed herein, he wishes that the Pope, the Bishops and the Emperor, would imitate Jesus Christ, and take the Sins of Men upon themselves, and pray for them; humbly confessing their Faults before God and before Men, and making a sincere Repentance, which all Mankind may take notice of. He advises the Legates to place their chief Confidence in Prayer, and proposes to them the Example of Daniel.

Pole having taken the Baptism of Constantine, by Silvester, for granted in his Writings, as also that Emperor's Donation which he made to the Pope, he endeavours to prove the Truth of the former in a little Discourse on purpose; in which he grounds his Opinion upon Testimonies drawn from Pieces which he thinks ancient, but are all supposititious.

Pole's *Reformatio Legum*, concerning England, is a Collection of Statutes which he made as Legate a Latere in England, and published in 1556. in February, in imitation of the Legates Orto and Orsini his Predecessors in that Station, whose Constitutions he renews. He there defines the Supremacy of St. Peter, and of the Church of Rome; gives Instructions about the Sacraments; exhorts Pastors to Residence and Preaching; makes divers Regulations concerning Ordinations

Of the Ecclesiastical Writers of the last-
century. nations and Provisions to Benefices and Consecrations of Churches; appoints Penalties against Simoniacks and Ali-
Part of the Sixteenth Century. cations of Ecclesiastical Revenues, and prescribes the way how
Writers of the last-
century. Dioceses ought to be visited. These Discourses were prin-
ted at Rome in 1562. and at Louvain in 1569.

Part of the Sixteenth Century. Before all these, he had in Henry VIII's time written a
Treatise in Defence of Ecclesiastical Union, wherein he speaks
warmly against that Prince's Schism, which is divided into
four Parts. It was printed at Strasbourg in 1555. The Letter
which he wrote to Cranmer when he was in Prison at Oxford,
concerning the real Presence, is as lively as the other; as is
also his Discourse against the False-Gospellers, address'd to
the Emperor; printed in 1554. He had written an Apology
in the same Style, against Paul IV. when that Pope recalled
him; but it is said, that when his own Manuscript Copy was
brought him, he read it by the Fire-side, and burnt it, that
he might not discover the Nakedness of his Father. Some
Copies however escaped. There are also some Letters of
Pole's among the illustrious Men. His Life was written by

Baccatellus, and printed at Venice in 1562. and afterwards at
London in 1690.

Pole imitated Cicero's Style, but not so perfectly as Bembo, Sadoleto and Longolius. His dogmatical Tracts are written with great Cleanness and Method, and the rest with Eloquence. His Thoughts are dazzling, but his Reasonings are not always just. He sometimes uses Allegories no ways proper for his Subject; which he makes the most of by the Delicacy of the Turn, and the Beauty of his Expressions. The Protestant Writers, even M. Burnet himself cannot forbear applauding the Virtues of this great Cardinal. He was, says M. Burnet, eminent for his Learning, his Modesty, the excellency of his Temper, and his Humility. He adds, That he ought to be look'd upon as a Prelate who had as much Virtue as any Man of that Age; and that if the rest of the Bishops had acted according to his Maxims, and shew'd the same Moderation, he had perfectly reconciled the Kingdom of England to the Holy See.

STEPHEN GARDINER, Bishop of Winchester.

Stephen Gardiner. Stephen Gardiner was born at St. Edmund's-bury, a small Village in the County of Suffolk (b). He studied in the University of Cambridge, of which University he was afterwards Chancellor. His Merit made him known to Cardinal Wolsey, who took him into his Family, and made him Secretary of his Dispatches. He was sent to Rome by Henry VIII. with Edward Fox, to solicit with the Pope the Dissolution of the Marriage of that Prince with Catherine, and afterwards into France and Germany, upon several Negotiations. When he came back into England, he approved of the King's Conduct, and composed a Book in defence of it, intitled, *Of true and false Obedience*, printed at London in 1535. but then he declar'd openly against the Lutherans and Sacramentarians, and was one of those that drove on Henry VIII. with the greatest Vehemence to proscribe them. It was under that Prince that he was made Bishop of Winchester. In Edward VI's time, he declared vehemently against that Change of Religion which his Ministers introduced; and for that Reason he was thrown into Prison. Being ordered to preach before the King, he approved of what had been done in England, as to the withdrawing from the Pope's Authority, and the Suppression of Monasteries. Concerning Images he said, That in his Opinion, a good Use might be made of them. but they might also be let alone. He did not disapprove of the Re-establishment of the Communion under both kinds, and consented to the Suppression of that great Number of Masses; but then he was very vehement for the Presence of the Body and Blood of Jesus Christ in the Eucharist, and said nothing of the pretended Supremacy of the King and his Council; for which reason he was remanded to Prison. When he had been there two Years, they would have obliged him to sign Articles, declaring, he approved of the Ecclesiastical Su-

premacY of the King, and received the new Liturgy; and upon his Refusal to sign them, they imprison'd him more straightly: And April 11. 1551. his Judges pronounced a Sentence of Deposition against him, after which he was remanded to Prison, where he staid till Queen Mary came to the Crown. Poinet, Bishop of Rochester, was translated to Winchester in his room. But Mary was no sooner upon the Throne, but she restored Gardiner to his Bishoprick, made him Chancellor of the Kingdom, and her first Minister. He died at London, Nov. 12. 1555.

Gardiner was very well skill'd in the civil and canon Laws. He wrote Latin elegantly, and understood Greek well. He was a great Politician, and had a Head very well turn'd to Business. He seem'd to be very zealous for the Doctrine of the Catholick Church, and wrote several Books against Hereticks; among others a Refutation of the *Chicanery's*, which the impious *Capharnites* (as he calls the Sacramentarians) make use of against the Sacrament of the Eucharist. This Book was printed at Paris in 1552. under Marcus Antonius Constantinus's Name. a Divine of Louvain, and afterwards at Louvain in 1554. He wrote another upon the same Subject, under the Name of John Withe, printed at London in 1553. called, *Testimonies of two hundred Authors for the Truth of the Body and Blood of Jesus Christ in the Eucharist*, against Peter Martyr. Also, *An Explication of some Passages of the Fathers misapplied by Bucer, concerning the Celibacy of the Clergy*, printed at Louvain in 1554. A Complaint against the impudent Pseudology of Bucer, printed in the same Year, in the same Place. A Treatise against the Articles of Hooper, printed at Antwerp; and some Tracts in English, in defence of the real Presence in the Eucharist.

(b) The English Reader needs not be told, that St. Edmund's-

bury is one of the largest open Towns in the Mid-land parts of England.

PETER LIZET.

Peter Lizet. Peter Lizet of Clermont in Auvergne, Lawyer, was raised by his Merit to the Employment of Counsellor in the Parliament of Paris, about the end of Lewis XII's Reign; and three Years after he was made Advocate General of Parliament. After having been in that Place twelve Years, in the Reign of Francis I. he was at last made first President, and was at the Head of that Parliament twenty Years together, till at last, not being able, by reason of his great Age, to bear the Burthen of Business, he quitted his Employment of first President, in the Year 1550. to get the Abby of St. Victor, which was resigned to him by the Cardinal of Lorraine. He did not enjoy it long; for he died June 7. 1554. being 72 Years of Age.

Peter Lizet was not only a great Lawyer, or, as Mr. Charles du Moulin calls him, *Pragmaticorum Princeps*; but he also wrote in Divinity, and composed several Polemical Discourses when he was first President, which he printed when he was Abbot of St. Victor's at Paris, in 1552. in two Tomes, which contain nine Discourses. In the first he lays open the Foundations of the pretended Reformation, which are, to keep only to the Holy Scriptures; to accuse Catholics of being Persecutors; and to mingle Errors with Truths. To refute them, he shews, that several things ought to be believed which are not in Scripture, but founded upon Tradition, and the Authority of the Church, That the Scriptures are not clear in all places; and that the Interpretation of them belongs to the Church and the Pope. He defends the ancient Usages of the Church, and shews by several Passages of the Fathers,

that they ought to be observed as Laws; and that it is Rashness to change them. He maintains, That the Church has been lierved with Wisdom; and that the Dogmes of the Church have been illustrated, perfected and confirmed, with time: That no Conventicles of Hereticks can ever give a Shake to Catholick Truth; and that Reformation of Manners and Discipline cannot hurt the Catholick Faith. He lays great Stress upon the Authority of the Church of Rome, whose Faith he pretends was never corrupted nor altered, nor ever will be. Lastly, he describes the Bonds which those that falsely call themselves Gospellers make use of to keep Men fast to their own side, such as a licentious Life, which they cover over with a Veil of Gospel-Liberty, the Charms of a polite Style, Knowledge of the Tongues, and an ill use of the Holy Scriptures.

The second Treatise is of the Authority of the Church. There he treats of its Unity, its Indefeasibility, its Visibility, and the Power which Bishops have to judge of Matters of Faith; and he shews, that the Characters of a true Church do not belong to a Society of false Gospellers.

The third Discourse is of the Authority of the Pope. He there treats of St. Peter's Supremacy, and of his Successors; of the Respect due to their Decisions, which he thinks infallible, provided they be made in a general Council, if they be difficult and undetermined Questions of Faith; and concerning other Matters, with the Authority of the College of Cardinals.

The Fourth is an *Exhortation to Judges and Magistrates* to use their utmost Endeavours to extirpate Heresy. He avers, that we may, nay we ought, to punish Hereticks under the Law of Grace, as much as under that of *Moses*, with Death. The second Tome contains five Discourses: The first, divided into six Books, is of the Necessity and Obligation of Ecclesiastical Laws: The second is a Dialogue in *French* against Translations of the Scriptures in Vulgar Tongues: The third is of *Auricular Confession*, which he confounds with the ancient *Exomologesis*: The fourth is of a *Monastick Life*:

And the last, a moral Discourse concerning the Blindness and Deception of the Age, composed by way of Dialogue between a Spiritual and a Carnal Person.

This Author had a good deal of Reading and Erudition. He quotes a great many Passages of the Fathers; but not being a Divine, he does not reason sufficiently, and advances sometimes Propositions which are not to be maintained. His Style is swelling, and favours of that flaming Zeal which animated him against Hereticks.

Of the Ecclesiastical Writers of the latter Part of the Sixteenth Century.

Peter Lizee

MATTHIAS BREDENBACHIVS.

Matthias Bredenbachius, born at Kerpen in the Duchy of Berg, was Principal of *Emmerick-College* in the Duchy of Cleves. He was not less to be commended for his continual Application in the Performance of the Duties of his Place, than for the Books which he wrote against the Protestants. He wrote a *Book of Ways and Means to compose the Differences of the Church*, printed at *Cologne*, 1557; then at *Antwerp* in 1576; and *Two Defences of that Book*; in one of which he justifies himself upon the Account of the hard Expressions which he used against *Luther*; and the other, wherein he defends the Principles of his Book against *Pileus*, printed at *Cologne* in 1557, and 1560; and a Book, Entituled, *Anti-Hyperaspistes*, against the *Hyperaspistes of Smidelinus*, alias *Jacobus Andreas*, a Lutheran, written in Defence of *Brentius*. The *Anti-Hyperaspistes* was printed at *Cologne* in 1568. We have besides two Letters of *Bredenbachius's*, concerning Matters of Religion, printed at *Cologne* in 1567; and two very large Commentaries upon Scripture, printed at *Antwerp* in 1560, and upon the 69 first Psalms, and the other upon *St. Matthew's Gospel*. These Commentaries are very learned. In his Commentary upon the Psalms, he produces the Differences of

the Hebrew Text, and follows the Sense, and explains them very clearly and largely. In his Commentary upon *St. Matthew's Gospel*, he not only explains the literal Sense, but adds likewise some moral Reflections taken from the Fathers. His manner of writing is Noble and Polite, very proper to instruct and edify his Readers. He died at *Emmerick* in *June*, 1559, aged 70 Years.

He left two Sons, *Theodoric* and *Tilman Bredenbachius*. *Tilman*, after having studied under his Father, and at *Rome* under *Martin Eisingrenius*, settled in the University of *Cologne*, where he was made Doctor in Divinity, and Canon. He wrote eight Books of *Ascetical Conferences*, printed at *Cologne* in 1584, 1590, 1599; and five Books, Entituled, *Insinuations of Divine Piety*, printed in the same Place in 1579, and 1588; *A Collection of Prayers taken out of Blosius's Works*, printed in 1580; *A Tract of the Punishments due to Sacrilegious Persons*, printed at the same Place in 1565; *A Letter inscrib'd to Eisingrenius concerning the Faith*, printed at *Cologne* in 1557; *Eisingrenius's Apology concerning the Certainty of Faith*, printed at the same Place in 1569; and *A History of Livonia*, printed at *Doway* in 1565, and at *Frankfort* in 1600. He died at *Cologne* *May* 14. 1587.

Matthias Bredenbachius.

RUARDUS TAPPERUS.

Ruardus Tapper, of *Enchusen* in *Holland*, studied when he was young in the University of *Louvain*, and took his Degrees there. After he was Doctor he professed Divinity there for 39 Years together, was Chancellor of the University, and Dean of the Collegiate Church of *St. Peter*. The Emperor *Charles V.* and *Philip II.* had a great Esteem for him, and made him their Counsellor, and employed him in many Negotiations. He was sent by an express Order to the Council of *Trent*, and at his Return, being called by *Philip II.* to *Brussels* upon very important Matters, he died there *March* 2, 1559, aged 71 Years. His Body was carried to *Louvain*, and buried in the Church of *St. Peter*, of which he had been Dean 24 Years. He left his Library to the University, and his Goods to the Poor.

The Book of *Ruardus Tapperus*, in which he explained and defended the 20 Articles of the Faculty of Divinity of *Louvain* against the Lutherans, is one of the largest Books of Controversy which was written in that time. He begins with explaining the Catholick Doctrine contained in each Article; then he sets forth the contrary Errors of the Innovators, citing their proper Terms: And last of all, he refutes their Objections. He seems to have left the Doctrine of his own School, concerning Free will, Predestination and Grace; for his Opinion is, that God has given all Men sufficient Strength, by which they might be saved; that he predestinates them to Glory in Consideration of their Faith and Righteousness, which are however Gifts of God; that tho' the beginnings of Faith and Righteousness ought to be attributed to Grace, yet we may in some measure prepare our selves by living morally well. As for the Righteous, he thinks some of them persevere by making a good use of Grace; and that others fall by resisting it through the Strength of their Free-will. He owns however, that God gives more abundant and more effectual Supplies to some than to others. On one side, he quotes Passages out of some *Pelagian* Commentaries upon *St. Paul*, attributed to *St. Jerome* and *St. Ambrose*, and the Writings of *Faustus Rhegiensis*, as a very Catholick Bishop; and on the other side Authorities of *St. Augustin*, which he endeavours to reconcile. He produces also different Sentiments of Schoolmen, and treats of all these Questions as Problems, that he may come principally to the Defence of this Article, *That we ought to believe, as of Faith, that Man has a Free-will by which he can do Evil, and by the Grace of God can do Good*. Tapper writes with great Methodicalness and easiness. He cites long Passages out of Fathers, Schoolmen and Hereticks. He handles several Questions that are disputed amongst Divines; and when he has explained them, and given his own particular Sense about them, he leaves them to attack only those Dogmes which are condemned in Hereticks. He is very large upon Questions

relating to Marriage, and maintains, that the Marriage-knot is not dissolved by Adultery; that the Church can indeed declare what Impediments shall destroy it; and that it is not made null by a Default of Consent in the Parents.

After this large Work of *Tapper*, come his ten *Theological Discourses*. The first is upon this Subject, that tho' the Devil made use of sundry Artifices to weaken the Church, yet he never used any so gross and so unreasonable, as those which he used by the Intervention of the Apostate *Luther*, and his Accomplices, who have no Marks of Sanctity nor Piety to recommend them. One of the great Absurdities which he finds in their Doctrine is, their venturing to assert, that the Church had been 1300 Years in an Error. He there describes the Manners and Behaviour of *Luther* in a very frightful Manner. He asserts, that it was only the Love of a Licentious Life which procured him so great a Number of Followers. At last he shews that their Doctrine favours Covetousness.

His second Discourse is of *the Unity of the Church*. *Tapper* there shews, that the Catholick Church alone has the Character of a true Church. He there handles the usual Polemical Questions which are handled upon that Subject.

His Third is against what *Melauchthon* had asserted in his Apology for the Confession of *Augsburg*, concerning the Judge of Ecclesiastical Controversies. *Tapper* there avers, that Matters of Faith were in all Ages carried to the Bishop of *Rome* to be decided by his Judgment; which he takes to be infallible; and rejects the contrary Sentiment of the Doctors of *Paris*.

In his fourth Discourse, he proves that Faith is a Gift of God, with the Loss of which he threatens *Germany*.

In his Fifth, he enquires after the Causes of the Obstinacy of Hereticks; and pretends that they ought no longer to dispute or hold publick Conferences with them, but keep to such a Form of Concord, as was formerly proposed by the Emperor *Theodosius*, by demanding, whether they will keep to the Sentiments of the Antients?

The Sixth shews the Antiquity of the Church; and that Jesus Christ appointed *St. Peter* to be his Vicar.

The Seventh is of *St. Peter's Supremacy*, and of the Excellency of the Priesthood of Jesus Christ, against one *Samson*, who had undertaken to prove that the King of *England* was the Head of the Church.

The Eighth is against the Anabaptists, who on the one hand destroy the Authority of Kings and Magistrates; and against the Lutherans, who on the other hand own no Jurisdiction but the Temporal. He maintains, that *St. Peter* and his Successors were appointed by Jesus Christ Sovereign Pastors of his Church, whom all the Faithful are obliged to obey, even Emperors and Kings; and that it is their Duty to protect and serve the Church.

(8.) N n n n n n n n

The

Ruardus Tapperus.

The ninth is a moral Discourse concerning Providence. Tapper in the Tenth refutes the Calumnies against the Church in Saxo's *Panoplia*, (c) but owning and acknowledging with Grief the great Numbers of Abuses in the Court of Rome. "We own, says he, and ingenuously acknowledge, and we groan to see, that the Church is sick from the Head to the Head; that every thing is corrupted in it, especially in the Ecclesiastical State; and that every Man seeks his own Concerns, and is solely employed therein: That every thing is become Venial by Dispensations, with Pluralities of Benefices, by Commendams of Abbies and Bishopricks, by monstrous Provisions, Regresses, and abundance of other Dispensations, which are granted without Examinations, or any other reasonable Cause. These Abuses, added he, are so notorious, that a Man must be blind not to see them, or stupid if he goes about to excuse them; For who sees not how much the Discipline of the Canons is neglected? Who groans not to see that they are nowhere executed, but in what belongs to Benefices, and Matters relating to the Litigious Courts? If they were exactly observed, the Prelates to whom it belongs to have them executed, would never be wanting in their Duty in what belongs to Manners and Discipline; the Church would be flourishing; and there would be no need of fa-

tiguing Bishops to go to general Councils in order to reform the Church, and so leave their Flocks several Years together without Pastors: And what Fruit can be expected from Councils, as long as there are no Persons zealous for the Execution of what shall be there resolved upon? Hereupon he quotes a remarkable Saying of a Cardinal, who being asked by the most Holy Pope Adrian VI. (who says Tapper had been formerly my Master in the Schools) what he thought most proper for the Reformation of the Church, made this Answer, which he repeated three times: "Most Holy Father, let the Canons be observed, there is no need of new ones; but let them which have been made several Ages ago be observed; let them not only be written upon Paper, but upon Men's Hearts, and in the Actions of the Faithful, by such an Execution as the Bishops may put in Practice." This Discourse was followed by a Memorial concerning the Causes of the Heresies which are in Germany; concerning the true Remedies which ought to be applied to them; concerning the false Remedies of Court Politicians; and a *Quodlibetical* Question concerning the Effects of Custom, in which he handles several Questions about Laws. These Discourses of Tapper's are not studied Harangues, but Divinity, Lectures, solid and well drawn up. All these Books were printed at Antwerp in 1552.

(c) In French *dans la Panoplie de Saxa*: How it is to be rendered the Translator knows not.

TACITUS NICOLAUS ZEGGERUS.

Tacitus Nicolaus Zeggerus.

Tacitus Nicolaus Zeggerus of Brussels, of the Order of the Friars-Minors, wrote three Sorts of Books upon the New Testament: The First, Entituled, *Rectifications or Corrections upon the New Testament*, (*Rectificationes seu Castigationes in Novum Testamentum*;) in which he revises the Text of the *Vulgate*, corrects the Faults which had crept into several Copies, and fixes the true Reading either by the Greek Text, (which however he does not always follow, nor look upon as exempt from Faults) or by the Greek and Latin Fathers, or by Conjectures. Zeggerus besides this composed *Notes or Scholia* upon the New Testament; in which he explains the most difficult Passages.

His third Work was a *Concordance of the New Testament*. The First was printed at Cologne in 1555; the Second in the same Place in 1553, and reprinted in the *English* Criticks; and the Third at Antwerp in 1558. This Author understood Languages well, and was a pretty good Critick; but sometimes he quoted supposititious Books. He translated into Latin the *speculum Vitae humanae* of Thomas Herentals; and the *Way of Life* of Florentius of Harlem. The first of these Translations was printed at Cologne in 1555; and the Second at Antwerp in 1564. This learned Franciscan died at Louvain August 26. 1559.

ALOYSIUS, or LUDOVICUS LIPPOMANNUS, Bishop of Bergamo.

Aloysius, or Ludovicus Lippomannus.

Aloysius, or Lewis Lippoman, a Venetian, was one of the ablest Divines of his time. He understood Languages, the History of the Church, Divinity, and had made a particular Study of the Scriptures and the Fathers. He was first Bishop of Modon, then of Verona, and lastly of Bergamo. He was employed in several Embassies, and made himself admired in the Council of Trent. When that Council was interrupted, he was sent Nuncio into Germany in 1548, and was recalled by Pope Julius III. who chose him to be one of the Presidents of the Council. Paul IV. sent him Nuncio into Poland in 1556, and made him his Secretary. He died four Days before that Pope, August 14. 1559. His continual Employments did not keep him from publishing several Books, he having the Art of joining great Study to great Business.

We have of his *Catena's* of the Greek and Latin Fathers upon *Genesis*, *Exodus*, and the ten first *Psalms*; in which he has collected and disposed in a Chronological Order Passages out of a very great Number of Authors upon the Text of Scripture; so that he at first produces Explications of the literal Sense with the Differences of the Hebrew and Greek; and then under the Title of *Mystical Explications* other Passages which relate to Allegorical, Tropological, and Anagogical Sense, citing not only Authors, but also Works and

Chapters from whence the Passages which he produces are taken. The *Catena* upon *Genesis* was printed at Paris in 1546: That upon *Exodus*, in the same Place in 1550: That upon the *Psalms*, at Rome in 1535.

Lippomannus made himself also famous by a new Collection of *Lives of the Saints*, in eight Volumes; in which he inserts a Translation of all the *Lives of Metaphrastes*, made by *Gentianus Heretius*, *Zinus Veronensis*, and *Sirletus*; which make up the fifth, sixth and seventh Volumes of the Collection of Lippomannus, printed in 1556, and 1558. The Eighth was printed after his Death in 1560, by the Care of his Nephew *Jerome Lippomannus*. The first Volume came out in 1551. He made likewise some Additions to the *Pratum Spirituale* of *Joannes Moscus*; and *Notes upon the History of Barlaam the Hermite*, written by *S. John Damascen*. He wrote a Book of Controversy in Italian, Entituled, *A Confirmation of all Catholick Opinions, with a Confutation of all the Foundations of Modern Hereticks*, printed at Venice in 1563; and a familiar Explication of the Creed and Lord's Prayer Printed in 1568. He composed also *Sermons for all the Festivals of the Saints of the Year*, and *Synodical Constitutions*. There is much more Erudition and Labour in his Writings than Discernment and Exactness.

JOACHIMUS PERIONIUS.

Joachimus Perionius.

Joachimus Perionius, Native of Cormery in Tourain, died in the Benedictine Monastery of that Place in 1559, where he had lived from his Infancy. He spent his Days in translating Greek Authors into Latin; and particularly employ'd himself in translating the Works of Aristotle; in Defence of whom he had several Disputes with Ramus. He made also several Versions of Ecclesiastical Authors; namely, of that Commentary upon Job which is ascribed to Origen; of the Books ascribed to Denys the Areopagite; of St. Justus's Works with long Notes; of the *Hexameron* of St. Basil; of St. Clement's Life of St. Peter; of the Letters of St. Ignatius and St. Polycarp; and of some

Pieces of St. John Damascen. He wrote also in Latin the Lives of Jesus Christ; of the Blessed Virgin; of St. John Baptist; of the Apostles; of the Patriarchs; of the Prophets; and of the Holy Women under the Old Law. But his Theological Topicks, divided into two Books, are the principal Work of his compiling: It is a Theological Logick; in which, in Imitation of Aristotle and Cicero, he treats of what the Ancients called their *Places* from whence they fetched their Arguments. In the first Book he treats of those Internal Places which depend upon the Artifice of the Author; i. e. of the different Sorts of Arguments and gives Examples drawn out of the Holy Scriptures. In the Second,

Second, he treats of the Sources and Foundations of Theological Arguments, which are built upon the Testimony of God, who can neither be mistaken nor deceive; a Testimony of Testimony which we obtain by means of the sacred Books; as also upon the Authority of the Church to which it belongs to fix the Sense of Holy Scriptures: And lastly, upon the Testimony of the Fathers, who are Witnesses of the Faith of the Church. Having thus laid down his three Fundamental Principles, he applies them to all the Questions of Controversy of his own time; and in treating of every one of them in particular, he proves the Catholick Doctrine by proper Passages out of the Scripture and the Fathers; and refutes the Arguments of *Melanchthon*, and the other Protestants. His Book

is written in a *Ciceronian* Style; the Subjects are handled in a noble and easy way, perfectly free from the Terms and Obscurity of the Schoolmen; his Reasonings are just, and his Arguments solid; and the Passages of the *Greek* Fathers are quoted in their own Tongue.

Perionius, also, wrote a Book of the best way of translating ancient Authors, and of imitating Originals in the Translations; but still he did not observe the Rules which a faithful Translator ought to prescribe to himself, allowing himself too much Liberty, and having more Regard to writing Elegantly, than to rendering exactly the Thoughts of the Authors whom he translates.

Of the Ecclesiastical Writers of the latter Part of the Sixteenth Century. *Joachimus Perionius*.

ROBERTUS CENALIS.

Robertus Cenalis.

Robertus Cenalis, a *Parisian*, was created Doctor of Divinity in the Faculty of *Paris* in the Year 1513. nominated to the Bishoprick of *Vence* by King *Francis I.* May 7. 1530. then to that of *Rez*; and lastly, to that of *Auranches* in 1532. This Bishop was in his time one of the greatest Ornaments of the Church of *France*, by his singular Erudition, and by the excellent Books which he published. He enriched *France*, with a *Latin* History, in two Tomes; the first of which contains the Anthropology, and the second the Chorography of the Kingdom of *France*; with an Addition, containing a Catalogue of the principal Places, and chief Rivers of *France*. This Book was printed at *Paris* in 1557. and dedicated to King *Henry II.* Cenalis wrote also a *History of the* Hierarchy of *Neustria*, divided into five Books, which is still unpublished. But besides these Historical Works, he wrote also several Books of Controversy; namely, *An Antidote against the Interim*, printed at *Lyons* in 1558. and at *Cologne* in 1561. in which he attacks the Design and Doctrine of the *Interim*, by maintaining, that in Matters of Religion we cannot suspend our Judgments, nor hold any Mean; A Treatise of the two Swords, one Spiritual, the other Temporal, printed at *Paris* in 1545. and at *Lyons* in 1555. in which he explains at large all that relates to the Temporal and the Spiritual Power. In this Tract he falls upon an Anonymous Discourse of an *Englishman*, who had taken all Jurisdiction from the Church. In the first part, he proves the Supremacy of *St. Peter*, and settles the Jurisdiction of the Church upon it: In the second, he discusses those Questions at large which relates to Ecclesiastical and Civil Laws. He treats also there of Excommunication; and decides several Difficulties relating to Practice. He maintains, that we are not only forbidden to kill for any Temporal Good; but that we ought not even to have an In-

tention to kill, tho' it be to preserve our own Lives: A Treatise, Intituled, the *Catholick Axiom*, to shew that we ought to have no Conferences with Hereticks concerning Articles of Faith, unless they will beforehand submit to the Church, printed at *Cologne* in 1560. and divided into three Parts. In the first, he shews that it is dangerous to enter into a Dispute with Hereticks; and that such Conferences have been successless: In the second, he shews that the Doctrinal Articles, presented by the Protestants, are captious: And in the third, he gives Signs by which true Catholicks may be distinguished from such as falsely call themselves Evangelicks. A *Catholick Axiom in Defence of Celibacy*, printed at *Paris* in 1545. Another *Axiom*, to shew that the Divorce of the *Mosaic* Law, was taken away in the *Evangelical* Law; printed at *Paris* in 1549. A Tract, Intituled, *The plucking off of the Sycophantick Mask of the Impiety of Caloin*, printed at *Paris*, in 1556. which was censured the same Year by the Faculty of Divinity of *Paris*, to whose Judgment Cenalis submitted. A Letter to *Monsieur Chandelier*, first President of *Rouen*; in which he justifies himself concerning the Heat which he had shewn against Hereticks, Intituled, *A Method to Repress the Fierceness of Hereticks*, dated in the Year 1541. and printed with his Treatise of the two Swords. There is likewise a particular Tract of the same Authors, full of abundance of Erudition, concerning the Measures of Liquid Bodies, and of the just Reduction of Weights and Measures, printed at *Paris* in 1542. and 1547.

This Author wrote with great Easiness: His Style is diffuse, and somewhat declamatory. He is very Zealous against Hereticks, and handles them without any Gentleness. His Works are full of Erudition and he does unquestionably deserve a considerable Rank amongst the learned Men, and Polemical Writers of that Time.

Robertus Cenalis.

DOMINICO SOTO.

Dominico Soto.

Dominico Soto was born at *Segovia* 1494. He owns himself that he was the Son of a Gardiner. He learn'd the Principles of Grammar at *Segovia*, and was afterwards obliged, for Subsistence, to be Parish Clerk in a small Town called *Orizaba*. Thence he went to *Alcala*, where he continued his Studies, and concluded his Course of Philosophy under *St. Thomas de Villanova*, who was afterwards Archbishop of *Valencia*. Thence he went to study in the University of *Paris*, where he took his Master of Arts Degree. When he came back into *Spain*, he taught in the University of *Alcala*; and sometime after he went into the Order of *St. Dominick*. He kept one Teaching at *Salamanca* and in other Places, and published his Philosophical Commentaries upon *Aristotle*. In 1548. he was sent to the Council of *Trent*, where he sat as General of his Order. He got a great deal of Reputation in that Council, where he was particularly taken Notice of: And he published there his two Books of *Nature and Grace*, which he dedicated to the Fathers of the Council. When he left the Council, he went to the Emperor *Charles V.* who chose him for his Confessor, and would have made him Bishop of *Segovia*. Soto refused those Honours, and contented himself with accepting of some Employments which *Charles V.* gave him; particularly that of determining that famous Difference between *Bartholomew de las Casas* and *Sepulveda*, concerning the Conquest of the *Indies*, and the Liberty of the *Indians*. He was then in *Spain* at the Court, from whence he retired to *Salamanca*, where he died December 6. 1560. being 66 Years of Age.

The great Works of *Dominico Soto* are, his Commentary upon the *Epistle to the Romans*; in which he contradicts the Explications of *Cajetan*, printed at *Salamanca* in 1530. and at *Antwerp* in 1560. A Commentary upon the fourth Book of *Sentences*, printed at *Venice* in two Volumes in 1584. and at *Dorway* in 1613. A Discourse upon *Justice and Right*, divided into eight Books, printed at *Antwerp* in 1568. at *Lyons* in 1582. and at *Venice* in 1608. But besides these larger Works, into the Particulars of which we cannot enter, he wrote several lesser ones, of which we ought to speak. Among these is his Discourse of *Nature and Grace*, dedicated to the Fa-

thers of the Council of *Trent*, and divided into three Books. In the first, he treats of the different Conditions of Man, and of his Fall: In the second, of the Justification and Redemption of Humane Nature: And in the third, of the Power of justified Man, and of the certainty of Grace. In this Book, he defends the Doctrine of the Council of *Trent* concerning Original Sin, Free-will, and Justification; and treats also of several other Questions controverted among Divines. He maintains that tho' Man can do Actions morally good by the strength of Nature, yet he cannot merit Grace in any manner thereby; and he sets the *Meritum congrui* aside as a new Invention. He does not think that Natural Attrition, nor even that which is conceived through fear of Punishment, are sufficient for the Sacrament of Penance; but he requires an Act of Charity. Towards the latter end of this Book he falls upon the Opinion of *Catharinus*, about the Certainty of Justification. *Catharinus* therefore having written two Tracts against him in Confirmation of his own Opinion, Soto inscribed an *Apology* to him, in which he refutes those two Tracts.

Soto had also another Controversie with *Catharinus*, concerning the Right by which Bishops are obliged to Residence. *Catharinus* thought it was only Ecclesiastical. Soto on the contrary, maintained in his Book *De Justitia & Jure*, that it was Divine and Natural; and openly refuted the Notion of *Catharinus*. In the matter of Plurality of Benefices, Soto was not so rigid; and he does not think it absolutely forbidden, unless where they have Cure of Souls: As for Simple Benefices, he allows Men to possess several without Dispensations, and even several that oblige to Residence, with a Dispensation.

Soto was one of the most profound Schoolmen of that time. He handles his Arguments at large, in a Methodical and Scholastical manner. He starts a great many Questions, and then resolves them by Scholastick Arguments, still founded upon Scripture, and the Authority of Fathers and Divines; but he does not seem to have had a perfect Knowledge of the Writings of the Fathers, nor of Ecclesiastical History.

Dominico Soto.

MATTHEW ORY.

Of the Ecclesiastical Writers of the latter Part of the Sixteenth Century.

Matthew Ory.

Matthew Ory, a Dominican, who assumed the Title of Inquisitor of Heresy in France, and Penitentiary to the Pope, published a Discourse at Paris, in 1544. against Hereticks, dedicated to the Cardinal de Tournon. He there proposed this Question, *Whence comes it that there are Heresies in the Church?* And in order to resolve it he examines three Things. First, What Heresy is? Secondly, What is the Cause of Heresies in the Church? Thirdly, what Means we ought to use to clear the Church of Heresy?

The word *Heresy* in the general signifies a Sect; but it is usually taken for such a Sect as is estranged from the true Faith. Ory defines it to be a Doctrine against the Faith, proceeding from a proud Choice. He assigns two Properties of Heresy, First, its spreading and encreasing like a Canker: Secondly, its being incurable in its Nature. He distinguishes three sorts: The first, against right Reason: The second, against the Holy Scriptures: The third, against the Doctrines of the Holy Church. The Devil is the general Cause of Heresy. The end which he proposes to himself is the aggrandizing of his own Kingdom; but God knows how to turn it to his own Glory. The particular Causes of Heresy, are Error, an evil Disposition of Heart, Ignorance, and a proud Choice. He reduces the Heresies of the present Time to the five Terms of St. Paul; namely, *Grace, Justification, Sin, Liberty, the Law*, and treats of every one of these Heads by its self. He follows St. Thomas in his System of *Grace*, and is very positive that we can do no good thing without the special Grace of God, which prevents and moves the Will. He says we cannot merit sanctifying Grace, and that preventing Grace serves only to dispose Men to receive that which sanctifies; but then he thinks, that he that has sanctifying Grace may merit an encrease of Grace, and eternal Life. Under the second Head he explains the different Senses of the word *Justification*, and the Degrees of Justification which God worketh in us by Faith, Hope, and Charity. In *Sin* he distinguishes between the Guilt and the Punishment; and having explained the different sorts of Punishments due to Sinners, he shews, that God can remit the Guilt, without remitting the Punishment. He shews the necessity of Penance and of Works of Satisfaction. He believes that original Sin deserves only the Penalty of Damnation, and that it shall not be punished with sensible Pains. Last of all he asserts, that there are Pains of Purgatory. To be Master of ones Actions, ac-

cording to him, is to be free; and in this Sense all Creatures which act with Knowledge and Will are free. Man in the State of Innocence was perfectly free, with a civil and a moral Freedom, and with a Freedom of Grace. After Adam's Fall he did indeed preserve his Freedom, but it was weakened; he became a Slave to Death and Sin, and lost the Liberty of Grace. He did not entirely lose his natural Liberty, having preserved some part of his Reason, and some Seeds of Virtue; and by the help of Grace, which God refuses to no Man, he can do what is necessary to acquire Perfection. God puts no Necessity upon him, because when he predestinates him to the End, he conducts him to it by Means conformable to the Nature of the Creature; and he moves a free Creature freely. Under the last Head, *the Law*, he gives the ordinary Definitions and Distinctions of *Laws*. He maintains against Gerson, That humane Laws oblige the Conscience; not indeed every one, but only those that are reasonable. 'For (says he) the Difference which is between Divine and Humane Laws, is that those may be above Reason, whereas these have not the Force of Laws, but only so far forth as they are conformable to Reason. We ought therefore, according to him, to examine the Reason of the Law, if we would judge of the Intention of a Legislature, and of the Obligation of doing, what it ordains.' He thinks that Ecclesiastical Laws which pronounce Anathema's oblige under pain of mortal Sin, because that Penalty ought to be inflicted upon none but grievous Offences.

To find out proper means to purge the Church of Heresies, he examines the Causes which introduced them; namely, Forgetfulness of God, Pride, and an over-turning of the Understanding. The first way to purge the Church, is, to instruct Hereticks; the second, to drive them from the Communion; and the third, to punish them with Death. He produces several Signs by which we may know Hereticks; and also offers Ways how we may preserve the Purity of the Faith. Last of all, he discovers particular Originals of several Errors.

The Author of this Book has carefully avoided the Fault which he reproves in Hereticks, of laying down no Definitions or Divisions of the Matters which he handles, and of not explaining their Properties. He does just the contrary, and defines, divides, and discovers the Properties, Causes, and Principles, of all the things of which he treats. Tho' he is methodical, he is not barbarous, he reasons justly, and quotes Passages out of the holy Scriptures very properly.

MELCHIOR CANUS.

Melchior Canus.

Melchior Canus, or Cano, was a Spaniard, born at a Town called *Turancon*, in the Diocese of *Toledo*. He took the Order of St. Dominic at *Salamanca*, and studied there under the famous *Francis Victorin*, whom he succeeded in the Divinity-Chair at *Salamanca* in 1546. *Bartholomew Garanza* of the same Order, afterwards Archbishop of *Toledo*, taught at the same time with great Applause. There was a sort of Emulation between them; and they formed (as it were) two Parties in the School of *Salamanca*. *Garanza* was a Man of a mild, obliging, engaging Temper, but then he had much less Vivacity and Eloquence than *Canus*, who had a lofty Genius, and understood not only Philosophy and Theology, but also History, and the *Belles Lettres*, and spake Latin perfectly well. *Canus* was sent to the Council of *Trent* under Paul III. and soon after was made Bishop of the *Canaries* in 1552. He was exceedingly in favour with the Prince Don Carlos, and his Father Philip II. Some suspected that he got into the good Graces of the Father at the Expence of the Son. He was accused also of having a mind to persuade that King, That he might make War upon what Prince he pleased, when the Vindication of his own Right was in Question. This Assertion, which particularly related to the Pope, did not please the Court of *Rome*, and was condemned by the University of *Salamanca*. *Canus* kept his Bishoprick but a little while, because he would not be so far from the Court. He was made Provincial of the Province of *Castile*, and died at *Toledo*, in the Year 1560.

The Discourse of Theologicall Places, (*Loci Theologici*) written by *Melchior Canus*, is an excellent Book, and written with all the Elegance one would desire. By Theologicall Places, he does not mean, common Places upon several Theological Subjects, as some do; but he uses the Word as *Aristotle* and *Cicero* had done before, for Principles or Fountains, from whence, as from so many Storehouses, Men draw Arguments, or else use them to find Proof of what they have

already asserted. The Theologicall Places therefore which are employed in this Work, are Fountains from whence Divines may draw Arguments to establish their own Notions, or to refute those of other Men. He reckons up ten. I. The Authority of the holy Scriptures. II. The Authority of the Traditions of Jesus Christ, and of his Apostles. III. The Authority of the Catholick Church. IV. The Authority of Councils, particularly of those that are General, wherein principally the Authority of the Church resides. V. The Authority of the Church of *Rome*, which by a particular Privilege granted to it by God, is called Apostolical. VI. The Authority of the Saints. VII. The Authority of the Schoolmen and Canonists. VIII. Natural Reason spread in all those Sciences which are found out by the Light of Reason. IX. The Authority of Philosophers and Lawyers. X. The Authority of prophane History, written by Persons worthy of Credit, or grounded upon a certain Tradition. The seven first are proper and particular to Divinity, the three latter foreign, and borrowed; for there being two ways of finding out any thing, Authority and Reason, the latter belongs to the Philosopher, the former to the Divine: There are (says he) however some Occasions in which a Divine may make use of both of them.

Canus having thus in his first Book given a Catalogue of his *Loci Theologici*, treats of these *Loci* each by its self in so many Books; so the second Book of his Work is of the holy Scripture. To establish the Authority whereof the better, he proposes to himself four Arguments at first, which may be framed to attack it. The first is, That since the Scriptures teach us that God sometimes deceives Mankind, we cannot be certain that the holy Penmen were not themselves sometimes mistaken. The second, That we cannot be certain which of the holy Books are canonical, since there are seven in the Old Testament, and as many in the New, which have been rejected by learned Men, and they too Catholicks. The third, That tho' we were certain which are the holy Books, yet

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yet since we do not know whether the Latin Version agrees with the Greek and Hebrew, we cannot draw an infallible Argument from it; because that is founded only upon the Sense and Understanding of the Interpreter, who might be mistaken. The fourth, that we cannot distinguish what the Prophets and Apostles say of themselves from those things in which the Holy Ghost inspired them. To support his first Argument, he produces several Examples of Lyes, which God seems either to have counselled or approved. To this Argument he opposes invincible Answers, by which he shews, that God cannot be deceived, neither by himself, nor by any other; and then solves the Objections which were proposed to support that Argument. He pretends, that *Abraham* and *Jacob* did not Lye. He shews, that when *Isaiah* said to *Ezekiah*, "Thou shalt die and not live," he did not Lye, because that Prophecy, like several others of like Nature, was only a threatening, and supposed things to continue in the same Circumstances. He says, God did not command the *Israelites* to cheat the *Egyptians*, but only to borrow their Goods, which he afterwards gave to the Borrowers in Compensation of the Labours which the *Egyptians* had exacted of them. He says positively, that when God is said to deceive the wicked, it is not that he is the Author of the Deceit, but only that he permits it: That he concurs to the Action as a general Cause, but not to the Malice as a particular one: That he does not harden Men by inspiring them with evil Thoughts, but by withdrawing his Grace, and giving Men over to a reprobate Sense. He recurs to the Authority of the Church, to fix the number of Canonical Books; and shews, that we ought to stand to the Judgment of the Church, and of a general Council. He clears all Difficulties which occur concerning those Books which were not formerly received as Canonical by some Churches. He declares for the Authority of the *Vulgate*, and is not for preferring the *Original Texts* to that Version in Matters relating to Faith and Manners. He is very angry with the Authors of the new Versions, particularly against *Ignorius Clarus's*. He owns however, that the study of the *Hebrew* and *Greek* Languages is very profitable, either to convince Infidels and Hereticks, to draw several Catholick Senses from the same Passage, or to come at a right Understanding of Idioms, Phrases and Proverbs, or to correct Faults of Copiers in the Version, or to illustrate some obscure Passages, or to avoid ambiguous Senses, or lastly, to understand the Meaning of the *Hebrew* and *Greek* Words which remain in the *Vulgar Latin*. Last of all he proves, that all that is in the Holy Books was written by the Assistance of the Holy Spirit, tho' the Sacred Writers had not always occasion for a particular Revelation to know the things which they wrote.

In the second Book, he establishes the Authority of Traditions upon four Principles. I. That the Church is older than the Scriptures, and consequently that Religion subsisted when the Word of God was not put in Writing. II. That all that concerns the Christian Doctrine was not expressly written in the Holy Books. III. That there are several things which concern Faith and Doctrine, which are neither clearly nor obscurely in Holy Scripture. IV. That the Apostles had Reasons to write some things, and to deliver others only *viva voce*. Afterwards he enquires how we may distinguish the Traditions of Jesus Christ from those of the Apostles. First, he says we must follow *St. Augustine's* Rule, which is, that all which the Church holds has not been established in a Council; but if it has been always observed, we ought justly to believe that it is of Apostolical Tradition. Secondly, that a Proposition which has always been taught by the Fathers, the contrary whereunto has ever been rejected as Heretical, ought to be looked upon as an Apostolical Tradition. Thirdly, that what has by common consent been believed in the Church, is also a Tradition. Fourthly, when Ecclesiastical Authors do with a common Consent attest any Dogme or Custom to have come from the Apostles, then it ought to be received. Of these Customs, some were but for a Time; some were always to last; some the Apostles received of Jesus Christ; and others the Apostles established, by the Inspiration of the Holy Ghost, for the Good of the Church. Those which the Apostles received from Jesus Christ, cannot be abolished by any contrary Custom; nor can the Church it self dispense with the Faithful about them: But for those which Jesus Christ did not institute, the Case is not the same. Having proved these Things, he answers the Objections of *Luther* and *Calvin* against Traditions.

The third Book is of the Authority of the Catholick Church. In that *Canus* treats of the chief Questions relating to the Church; explains its Definition; shews, that it is indefectible and infallible in Articles of Faith; extends that Privilege to its Pastors, and answers all the Objections which he had proposed to himself in the first Chapter against the Authority of the Church.

He treats in the same manner, in the fourth Book, of the Authority of Councils. Having defined and divided his Mat-

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ter, he avers, that a general Council, which is neither assembled nor confirmed by the Authority of the Pope, may err concerning the Faith; nay, that it may fall into Error though assembled by the Pope: But when it is confirmed by the Pope, its Definitions may be alledged as a certain Proof of a Catholick Doctrine. That it is the same with the Definitions of Provincial Councils, which may be false when not confirmed by the Pope, but cannot err when he has declared them to be true. From thence he concludes, that the Definitions of Synods when they are not confirmed by the Pope, are only probable Arguments. These Maxims of the Church of *Rome*, are all very prejudicial to the Authority of Bishops and Councils: He does not pretend, however, that Bishops are only the Pope's Counsellors in a Council; he makes them Judges, but yet so as that the Pope is not obliged to be determined by the Majority. He neither thinks Popes, nor Councils confirmed by their Authority, to be infallible in Questions of Fact; but yet he does not think they can err in Moral Doctrines, or in Matters of Consequence. He dares not however positively say, that those that find fault with any Law or Custom of the Church, ought to be accused of Heresy; and he declares without scruple, that it may be mistaken in its Judgment concerning particular Matters.

Canus, in his sixth Book, is very earnest for *St. Peter's* Infallibility, and that of the Bishops of *Rome*, his Successors, when they make Definitions of Faith. He confesses a Pope may be a Heretick, but he does not think the Pope can determine any Article against the Faith.

In the seventh Book, he speaks very wisely concerning the Authority of the Holy Fathers: It has no weight with him in Questions of Philosophy. The Authority of two or three Fathers, with him, makes but a probable Argument, even in things relating to Religion and the Faith. The Sense of the Majority is not a sufficient Proof: Their unanimous Consent would not be an infallible Proof in Matters which do not relate to the Faith; but it would be so in any thing relating to the Understanding of the Scriptures in Matters of Faith.

In the eighth Book he defends the School Divinity, and examines what the Authority of the Schoolmen is. The Testimony of many Divines set against the Testimony of many more, has no Authority, any farther than as the Reasons they alledge are valid. The unanimous Consent of the Schoolmen may form probable Arguments; and it is rashness not to submit to it in Matters of Consequence. If it is not a Heresy to contradict the common and unanimous Consent of the Schools, yet it is near to it at least. He prefers the Authority of the Schoolmen to that of the Canonists. He does not think the Divines want them in Questions relating to Faith, or the Precepts of the Evangelical Law; but he thinks they are of use in Matters whose Decision depends upon the Canons and Decretals of Popes.

Natural Reason, properly speaking, is no *Locus Theologicus*. *Canus* exceedingly blames those who think Divines ought to use it preferably to Authority; but then he condemns also those who maintain it can be of no use in Divinity. He shews, that the Apostles and Holy Fathers used Reason and Philosophy to good purpose; but then he is for having Divines avoid two Faults: First, of asserting doubtful Opinions as positive; secondly, of employing themselves in obscure and difficult Questions which are of no use. He reproves several Divines for treating of these sort of Questions, which are more proper to burthen than clear the Understandings of young People, and which are intolerable to all Mankind: For (says he) who can bear the *Disputes concerning Universals*; concerning the Analogy of Names; concerning the Principle of Individuation, &c. in which the most subtle Men in the World can comprehend nothing? Not to speak of these other Questions, whether God can create Matter without Form? Whether he can make several Angels of the same Species? And abundance more of the same sort.

The Authority of Philosophers has no great weight in Theological Questions. Those that have erred themselves cannot be very useful in the Establishment of Religion; but then the Testimony of those who have known important Truths may be profitably made use of. *Canus* thinks, the unanimous Consent of Philosophers proves any Point in Philosophy to be such as cannot be set aside without rashness; and that we cannot lawfully dissent from Maxims which have been received by all Philosophers. If *Canus* had written since the new Discoveries in Philosophy, perhaps he would not have advanced this Rule so affirmatively. He complains with Reason, that some Persons spend more time in studying *Aristotle* and *Averroes* than the Holy Scriptures. He draws up a Catalogue of the Errors of *Aristotle* against the Christian Religion. He shews the use which a Divine may make of the Civil Law, to resolve Cases of Conscience, and to regulate Mens Manners. But he is not for having Men confide in Modern Practitioners, who can never pass for good Lawyers. For (says he) I do not call a poor Chicaning Petty Fogger, a Lawyer, who leans upon Forms, who trifles with the smallest Syllables, and equally defends both sides. This is the Argument of the tenth Book of the Theologicall Places of *Melchior Canus*.

In the eleventh he treats of the Authority of History. He shews, 'tis of great use in Divinity, and that Ignorance in History has often been the Cause of the great Mistakes of Divines. Sacred History is a certain and infallible Witness of Truth. Other credible Authors furnish us with Arguments probable at least; and when several approved and credible Historians agree in a Fact, it ought to pass for certain. He proposes in this Book, against the Authority of History, a great many Historical or Chronological Points which labour under great Difficulties; such as what *Africanus* said to make the two Genealogies of Jesus Christ agree, that *Joseph* was the natural Son of *Jacob*, and the legal Son of *Helel*. What several of the Ancients tell us of *Joseph's* having a former Wife before he espoused the Virgin *Mary*: What *St. Jerome* says, that the *Herodias* mentioned by *St. Matthew* was the Daughter of King *Aretas*: What is commonly believed, that the wise Men of the East were Kings, and came within thirteen Days of the Nativity of our blessed Saviour: That the Miracle at the Marriage of *Cana* happened upon an Anniversary of the Epiphany: That *Adam* was buried in the Place where the Cross was fastned, on which Christ suffered: The Difference between the *Hebrew* Text, and the *Septuagint*, in Matters of Chronology; and some other Difficulties in History and Chronology: But he seems to have proposed them, only to have room to shew his Erudition in clearing them, which he does very learnedly. There are other Objections which do more directly strike at the Authority of History; such as the Fables which may be found in several Ecclesiastical Histories, and in the Offices of the Church; the false Relation of the Baptism of *Constantine* by *Sixtus*; The pretended Donation of that Empire; Faults of Historians, &c. *Cannus* does not much concern himself to defend the Fables which we may read in the Offices of the Church. He owns, that they ought to be reformed, and that they may be the occasions of great Mischiefs in the Church. He gives up *Constantine's* Donation; and owns, that he never was leprous; but yet he affirms that Emperor's being baptized at *Rome*. He lays down Rules at last, by which we may know what Authors are worthy of Credit. And having been large upon prophane Authors, and upon divers Points of universal History, he says, that if we would distinguish true Historians from false, we must, first, have a regard to the Probity and Integrity of Authors, particularly when they speak of what they say they have seen, or learnt from those that have seen them. Here he makes a Digression, in which he complains, that there are several prophane Historians more credible than several of our own. He says he is grieved to see that *Dionysius* wrote the Lives of the Philosophers with more Sincerity, than our Historians have written the Lives of the Saints; and that *Suetonius* has more faithfully related the Actions of the Roman Emperors, than the Catholics have those of the Martyrs, Virgins and Confessors: For (said he) when they wrote the Lives of good Emperors or virtuous Philosophers, they did not dissemble their Faults; and when they wrote the Lives of the wicked ones, they mentioned any seeming Virtues which such Men might have: Whereas the generality of our Authors give too much to their Zeal, and forge several things very often, which makes me ashamed for them: And yet it is certain, adds he, that those who in writing History, mingle Truths and Falshoods together, cannot be good or honest Men, but must labour either out of Interest, or with a Design to deceive: The first is shameful, the second pernicious: And lastly, those who by Fictions would raise Devotion towards the Saints, are the Cause, through their own Falsities, to make Men give no farther Credit even to Truths, and to make them doubt of things which are related by sincere and true Historians. The second Rule is, to prefer those Historians who have joined Prudence and Discretion with Sincerity. *Cannus* does not approve of those who believe hand-over-head all that they see in Print; who give Credit to Reports spread among the People; who applaud all Miracles, true or false, that are told them. He cites *The Mirror of Examples*, and *The Golden Legend*, as Examples of this Precipitancy. For (says he) one sees in the former, Monsters of Miracles oftener than Miracles; and he that wrote the last, had certainly a Mouth of Iron, a Stomach of Lead, and an Understanding void of either Prudence or Discretion. He observes, that the Ancients were not perfectly free from Blame, and that a Divine ought not to satisfy that all that great Men have written is equally perfect. He speaks of *St. Gregory* and *Beade*, who have collected, one in his *Dialogues*, the other in his *English History*, such Miracles, as were commonly talked of among the People, without examining whether they were true. This Rebuke of *St. Gregory* drew very hard Reproaches upon *Cannus* by *Baronius*, in one of his Notes upon the Martyrology, Dec. 13. and yet *Cannus* spake of him with great respect. But he judges more freely of *Vincensius Bellovacensis* and *St. Antoninus*, who seem never to have concerned themselves to write what was true or certain, but only not to forget any thing which they should find written in all sorts of Memorials. His third Rule to distinguish Authors, is to reject all that the Church has rejected, and to receive the Authority of those whom it judges to be worthy of Credit. This Rule gives

him opportunity to criticize upon several Authors, among others upon *Eusebius*, *Socrates*, and *Sozomen*.

In the twelfth Book he undertakes to explain the Use that may be made of these Places in Divinity: This Book is more abstracted and more scholastical than the rest. In the beginning *Cannus* handles several Questions concerning the Definition and Nature of Theology. Then he examines what is of Faith, and what is not. He holds, not only the Definitions of the Catholick Church for Catholick Dogms, but also those of the holy Apostolick See; and he places also in this Rank those Theological Conclusions which have been constantly received as indubitable by all Divines. Then he distinguishes between the different Degrees of Error. He is not for calling every Proposition against Catholick Doctrine, Heresy. He thinks that before that Name can be given to any Doctrine, it ought to be maintain'd with Obstinacy. He defines Heresy to be the obstinate Error of a Man that has made Profession of the Faith, which is manifestly contrary to that which is certainly a Catholick Truth. He distinguishes Infidelity and Apostacy from Heresy, since Infidels never embraced the Faith of Jesus Christ, and Apostates have entirely renounced it; whereas a Heretick does still profess it. He does not think that a Man who obstinately doubts of an Article of Faith, is, properly and metaphysically speaking, a Heretick, though morally speaking he be reputed such, and it be almost impossible to prevent his falling into Heresy. To be obstinate, according to *Cannus*, with an Obstinacy that causes Heresy, a Man must assert a Proposition which he knows to be contrary to Catholick Doctrine, and so prefer his Opinion to that of the Church; but then he does not think it sufficient to be a Heretick, that a Man resists the Advice of pious and understanding Men, or the Remonstrances of his Bishops. Ignorance that is not affected, excuses from Heresy with him. The ways of convicting a Man of Obstinacy are, first, the Testimony of the Person himself, who discovers by his Discourses that he is wedded to his Error, though he knows the Truth. Secondly, the Nature of the Error, when it is so manifest, that it is not at all probable that those that maintain it can be ignorant that it is contrary to Catholick Faith. From what is heretical, *Cannus* passes to what is erroneous. In order to explain that, he observes that there are two sorts of Catholick Truths; some may be deny'd without losing the Faith; others cannot be deny'd without shocking the Faith, tho' they do not entirely overthrow it. Propositions contrary to these latter Truths may be called erroneous; but then there is another Sense in which a Proposition is erroneous; namely, when it is contrary to a Proposition which, in the Judgment of the Learned, is of Faith; but which is not yet clearly defined by the Church, nor demonstrated by evident Proof. Lastly, a Proposition may be called erroneous, which the Learned think is contrary to an Article of Faith; tho' not so evidently contrary as to remove all Doubtfulness. A Proposition which favoureth of Heresy, is not such a one as can be heretical but in one Sense; but such a one as can have no good Sense, but approacheth to Heresy: *Quia Heresim sapientem quendam et odorem referunt*. But then all Divines have not a Relish nor a Smell fine enough to discern these Propositions: it requires a consummate Prudence and Experience. The same may be said of such a Proposition as is called of an ill sound. Divines ought to have nice and devout Ears to find any thing evil in Propositions, in which no Falshood appears; where no Error, contrary to the Faith, is discerned; only some inexplicable Absurdity which offendeth pious Ears. The People sometimes are too nice upon that Head, and sometimes are not nice enough. He brings an Example of too great Niceness in the People upon this Proposition, *The Virgin Mary contradicted original Sin*, which shocks the Populace, and which yet was never condemned by the Church. *Melchior Cannus's* Definition of a rash Proposition is this, 'A Proposition started, not only without Reason, but with an audacious Confidence, a shameless Insolence, an impudent Joy, and a proud Vanity, against the Modesty of the Rules of the Church.' He gives for Examples, such Propositions as deny the corporeal Assumption of the blessed Virgin; or that Infants receive sanctifying Grace in Baptism; or that Angels were created with the World. He thinks it would be Rashness to determine positively of the Year and Day of the last Judgment. Some confound a scandalous Proposition with such a one as offends religious Ears; but properly speaking, that is a scandalous Proposition, which may cause Scandal, tho' one cannot find any Heresy in it; such as the describing the Inconveniencies of Confession; the mentioning true or feigned Disorders of Monks, which cannot be done without giving Offence to the Weak. He observes, that he does not take the word Scandal here in the popular Sense, for a Proposition that may shock the Ears of those that learn it, but for what may occasion the Fall of any of the Faithful. In this Sense true things may sometimes be scandalous. *Cannus* afterwards lays down Rules to Divines, by which they may make good use of *Loci Theologici* in their Disputations with Hereticks; and then he makes the Application himself, in treating of Questions of different Natures. I. A Question of Faith, Whether the Eucharist is a Sacrifice? II. A Question in Divinity, Whether the Soul of Jesus enjoy'd the beatifick Vision from the Moment in which

which it was created? III. A Question of Faith, which may be known by natural Reason; viz. Whether the Soul be immortal? These Questions are handled by *Canus* in such a manner, as may serve for a Pattern to Divines.

He does not handle the Questions which relate to the Sacraments in general so largely in the Book which he wrote expressly upon that Subject; tho' he does it in an instructive and a solid manner, still building his Conclusions upon Testimonies drawn from Scripture and the Fathers, concerning himself with none but important Questions, and always avoiding the barbarous Obscurity of most of the School-Divines.

His six Lectures, concerning Penance, are much of the same Character. He there treats of Questions relating to Penance, consider'd as a Virtue, and as a Sacrament, with great Niceness, Clearness and Method. He states his Questions

neatly; lays down his Opinion in few Words, proposes the principal Difficulties with great Strength, and answers them rationally. He always uses Latin Terms, and avoids Barbarity: But he is neither so eloquent nor so florid in these Lectures, as he is in his *Loci Theologici*, which are a Master piece of Eloquence in that sort. The Rules which he lays down are excellent; but the Applications which he makes of those Rules are not always just nor true. He sometimes tires his Readers with long Digressions, and with a multitude of foreign Questions, which he brings into his Work. In short, he seems to have brought this Matter too much to an Art; and he affects too much to imitate *Aristotle*, *Cicero*, *Quintilian*, and other proane Authors, who have treated of argumentative Topicks, as they relate to the Works of Rhetorick and Logick.

JOHANNES BAPTISTA FOLENGIUS.

Johannes Baptista Folengius, of Mantua, a Benedictine, Prior of the Monastery of St. Justina of Padua, was a very pious, and an exemplarily charitable Man, and one whose Writings were no less polite than his Manners. He had a sincere Design to reform Ecclesiastical Discipline, and to reunite those that were separated from the Church. It was with this View that he labour'd upon the Holy Scriptures. The first Commentaries which he wrote were upon the Epistles of St. James, St. Peter, and the First of St. John. These Commentaries were printed in 1555; but the Liberty which he took having displeased the Court of Rome, they were put into the Index Expurgatorius. His Commentary upon the Psalms, printed at Basil in 1557, had at Rome a much different Fate; for having been revised by his own MS. and corrected, it was reprinted at Rome by the Order of Gregory XIII in 1585, and afterwards at Cologne in 1594. In this Work *Folengius* joined two Things, which rarely meet together, especially in a Commentary upon the Scriptures; namely, Erudition and Piety. He explains the literal Sense of the Word, recurs to the Original, and to Versions; and shews the Connexion and Order of the Psalms as a Critick; and assigns Spiritual and Moral Senses like a Mystic. He writes purely and nobly; and *Thuanus* had Reason to say, That no Man will ever repent the reading of his Commentaries. He makes a Table, in which he disposes the Psalms in different Classes, according to the Subjects of which they treat; and since that may be of use upon some Occasions, we do not think it amiss to set it down here. In the Psalms, says he, either WE PRAISE GOD, or, we exhort Men to Praise Him, by causing them to remember the

(a.) What is here called the 151st Psalm, is only our 150th.

Benefits of God towards us, and principally those with which he loaded the Israelites: Such are Psalms 8. 29. 33. 47. 48. 65. 66. 76. 81. 92. 93. 95. 96. 97. 98. 100. 103. 105. 106. 107. 111. 113. 114. 115. 117. 119. 134. 135. 136. 138. 145. 146. 147. 148. 149. 150.

Or, WE PRAY TO HIM, Psalms 16. 26. 43. 67. 84. 90. 126. IN SICKNESS, Pf. 6. 38. 39. 88. Or, WE DESIRE HIM TO PARDON AND TO BLOT OUT OUR SINS. Pf. 17. 25. 51. 130. Or, WE DESIRE HELP against our Enemies, particularly against the Wicked, against whom we put up Complaints and Imprecations, Pf. 1. 3. 5. 6. 7. 9. 10. 12. 13. 17. 25. 27. 28. 31. 35. 36. 40. 42. 54. 55. 56. 57. 58. 59. 60. 61. 64. 69. 70. 71. 74. 79. 80. 83. 85. 86. 89. 94. 102. 108. 109. 132. 140. 141. 142. 143. 144.

Or, WE PAY HIM THANKSGIVINGS, accompanied with Praises, Pf. 18. 21. 30. 31. 34. 40. 66. 77. 116. Or, WE WISH AND FORETEL BLESSINGS, Pf. 20. 72. 122. Or, WE MAKE INVECTIVES AGAINST THE WICKED, joined with Prayers, Pf. 5. 10. 12. 35. 36. 40. 52. 53. 55. 58. 109. 120. 135. Or, they contain, PRECEPTS AND INSTRUCTIONS TO A HOLY LIFE, Pf. 1. 2. 4. 11. 15. 19. 23. 24. 32. 34. 37. 41. 45. 46. 49. 50. 62. 63. 78. 82. 91. 95. 97. 99. 101. 112. 119. 121. 125. 127. 128. 129. 131. 132. 133. 137. 139. 151. (a.) Or, they contain PREDICTIONS AND PROPHECIES CONCERNING JESUS CHRIST, Pf. 2. 14. 16. 17. 22. 24. 50. 53. 68. 75. 82. 85. 86. 94. 97. 98. 110. and HIS CHURCH, Pf. 51. 87. And oftentimes all these Things are joined together.

Folengius died in his own Country, in the same Convent in which he was first profest, being 60 Years old, October 4. 1559. The Hebrew Division of the Psalms, which we follow, is in some few Instances altered in the Vulgar Latin.

JOHANNES ARBOREUS.

Johannes Arboreus, of Luon, Doctor of Divinity of the Faculty of Paris, of the Sorbonne, is as famous for his Works, as he is obscure as to the Circumstances of his Life. We do not so much as know what Year he died; and all that I could learn of him in the Sorbonne was, That every July 1. which was the Day he died, Mass is said for him; and that upon that Day he founded a solemn Mass for the Octave of St. John Baptist for ever.

He wrote an excellent Book, Entitled, *Theosophia*; in which he comprehends, under several Heads, several important and curious Questions upon Theological Dogmes, and upon Passages of Holy Scripture. His Method is at the beginning of every Chapter to set down the Proposition which he intends to prove, and then to produce Passages of Greek and Latin Fathers, in which this Proposition is established. This Method of handling Divinity is very instructive; and the immense Labour of *Arboreus* cannot be too much commended, who has collected so many different Passages; nor his nice Discernment in his Choice of Matters and Passages

too much admired. This Work is divided into nineteen Books, which make two Tomes, that are contained in one Volume in Folio, printed at Paris in 1540.

He wrote also Commentaries upon Ecclesiastes and the Canticles, printed at Paris in 1537; upon the Proverbs, ibid. in 1549; upon the four Gospels, ibid. in 1551; and upon St. Paul's Epistles, ibid. 1553. These Commentaries are very large. He paraphrases the Text, explains the literal Sense; and occasionally, upon several Passages, he treats of Theological and Polemical Questions. He often recurs to the Greek Text, and follows it in some places before the Vulgate. He is an able Divine, wise and moderate in his Notions, clean and exact in his Expressions. One may reap much profit by reading of his Works; which are hardly known, tho' they are very valuable. He joined to this profound knowledge a Spirit of Piety; and he also composed an Exhortation to Penance, a Method for Confession, and some other spiritual Treatises.

BARTHOLOMÆUS CAMERARIUS.

Bartholomæus Camerarius of Beneventum, President of the Royal Chamber at Naples, is little known but by his Polemical Treatises, written by way of Dialogue, and printed at Paris in 1556. The first is a Treatise of Grace, and of Free-will; in which he disputes with Calvin. He begins with setting down the Variations of Calvin upon this Subject. Free-will he defines to be a Power capable of being the Subject of Grace, by the Assistance of which we do Good, and without which we do Evil. He makes it to consist in the Power which a Man has over his Actions; and he reproves those who think that there can be no Free-will, unless the Will be entirely indifferent to do two contrary Actions, and may actually choose one of them. He owns, that Grace makes us will what is good; but maintains, That the Will acts efficaciously; and that it voluntarily wills and chooses what is good. He teaches, That all that is done voluntarily, and with a good Will, is done with Liberty: And that as to Man, he has always a Power to consent or not, tho' he be actually determined to do a good Action by Grace; or being destitute of Grace, he has not the necessary Succours actually to do good. In a word, this Author defends Free-will without leaving St.

Augustin's Principles, and treats very clearly of that knotty Subject. In the second Book, he answers the Objections of the Calvinists and the Lutherans: And in the third, he replies to the Answers which they brought to Passages and Reasons alledged by Catholics in Defence of Free-will.

Camerarius wrote besides three Treatises by way of Dialogue, concerning Fasting, Prayer, and Alms-deeds, Dedicated to Diana of Poitiers, Dutches of Valentinois, who desired him to instruct her upon those Subjects. In the first, he defends against the Protestants the Laws of the Church concerning Fasting, and answers the Objections of Melancthon. Towards the end, he reprehends some Superstitions, and takes notice of the necessary Conditions to make a Fast meritorious. He does not approve of excessive Fastings; and allows of Collations, provided they be moderate. He produces Reasons for dispensing with Fasting, viz. Weakness in young People, in old Folks, and sick Persons; Necessity in those that are extrem poor; in those that gain their Livelihood by laborious Works; and in some Travellers; and Piety, when by not Fasting we do a better Action than we should do if we fasted; such as Preaching, provided it be done only for the Glory of God, and the Salvation of Souls.

In his *Dialogue of Prayer*, after having spoken of Attention, and the other Conditions of Prayer, he explains the *ecclesiastical* Lord's Prayer. He enquires in what Places it is most proper *Writers* of to pray, for whom we ought to pray, and how Prayer agrees with the Eternal Predestination of God. Then he introduces *Part of the* a Protestant, with whom he disputes of Prayer, Invocation, *Sixteenth* Worship, and the Images of Saints.

In the *last Dialogue*, he explains the Motives which ought to guide us in doing *Alms*, and the Conditions which they ought to have to make them useful, prudent and meritorious.

Bartholomæus Latomus.

BARTHOLOMÆUS LATOMUS.

Bartholomæus Latomus.

Bartholomæus Latomus, was born at *Arlon* in the Duchy of *Luxembourg* in 1485. He first appeared at *Triers*. He taught Rhetorick at *Cologne*: then he was made Principal of the College of Philosophy at *Fribourg*; and at last was called to *Paris* in 1534. to fill the Rhetorick-Chair in the Royal College of *France*, where he profest with Applause. He was esteemed and loved by *Budæus*, *Erasmus*, and all the learned Men that were at *Paris* at that time.

After he had taken a great deal of Pains to explain *Cicero*, and had publish'd Notes upon most of his Books, and composed several Rhetorical Tracts, he retired about the Year 1540 into *Germany* to the Elector of *Triers*, whose Counsellor he was. Then it was, that being moved by the Disputes on foot in that Country, that he wrote several Polemical Tracts. In 1543 he wrote an Answer against *Martin Bucer*, upon four Heads; the Distribution of the Communion under one kind; Invocation of Saints; Celibacy of the Clergy; and the Authority of the Church. This Discourse being printed in 1544. *Bucer* reply'd, and *Latomus* published a second Answer; in which he treated more largely of those Matters. One *Jacobus Andreas*, a Lutheran, Minister of *Goppingen*, having reprehended him for saying, that the Primitive

Church kept the Usage practis'd by Jesus Christ, and by the Apostles, till being instructed by the Fathers, it found out, that both kinds ought to be reserved to the Priests alone, and the People ought to communicate under the Species of Bread only; *Latomus* defended himself in a Discourse, Intituled, *Of learned Simplicity, and of the Use of the Cup, and of the Holy Sacrifice of the Mass*; in which he declares, that he never accused the Primitive Church of being mistaken, or of not being sufficiently instructed; and that he only meant to say, that Discipline might grow more perfect by Time. He defends likewise the Sacrifice, Oblation and Consecration of the Eucharist. His Tract against *Andreas* was printed in 1559. He writ another against the same Man, concerning the Eucharist, and the Holy Sacrifice of the Mass, printed two Years before. One *Peter Datheus*, an Apostate *Franciscan* of *Ypers*, published some Reproaches and Invectives against the Catholics. *Latomus* answered them in 1558. Lastly, he published some Letters against *Sturmius*, concerning the Schism and Danger which *Germany* was in; wherein he enquires whose Fault it is, the Catholics or the Protestants, that they do not re-unite in the same Religion? They are printed with *Sturmius's* at *Strasburg* in 1556. *Bartholomæus Latomus* died at *Coblentz*, about 80 Years of Age, in 1566.

Bartholomæus Latomus.

GEORGE CASSANDER.

George Cassander.

George Cassander, born, as some say, at *Bruges*; as others, in the Isle of *Cassand*, three Leagues from *Bruges*, from whence he took his Name, was one of the learnedest Men of his time. He understood the Languages, the *Belles Lettres*, the Civil Law and Divinity. He taught the *Belles Lettres* at *Gaunt* and *Bruges*, and in other Places, with great Reputation. He afterwards applied himself to the Study of Divinity, and retired to *Cologne*, with his Friend *Cornelius Gualterus* of *Gaunt*. He spent all his time there, which his ill State of Health would give him leave to apply to his Studies, in studying Controversy, and seeking for Means of procuring Re-union and Peace. Upon this Subject, he wrote a small Tract, Intituled, *Of the Duty of a pious Man who truly loves Peace in Differences concerning Religion*; which came out in 1562. *Franciscus Balduinus* having first brought this Book into *France*, he was believed to be the Author of it. *Calvin* believing this, wrote against it, and in that Answer abuses *Balduinus* exceedingly. *Balduinus* defends himself in a Preface which he puts before an Edition of *Optatus*, and in a Book on purpose upon the Law *De Libellis famosis*; in which he denies that he wrote the Tract *De Officio Viri Pii*. *Calvin*, who was naturally impatient, made a Reply to this Answer of *Balduinus*, which was, according to his Custom, very sharp; in which he struck at the Doctrinal part of that Tract, with a great many Personal Reflections upon the Author. *Cassander* then discovered himself, and wrote a Defence of his Book, which was as moderate as *Calvin's* Discourse was passionate. He set it forth with a Dialogue before it, between two Persons whom he calls *Placidius* and *Modestus*. He was attacked also in an injurious manner in a Dutch Pamphlet, which he answered in the same manner. *Cassander's* Treatise, *De Officio Viri Pii*, did not only displease Calvinists and Protestants, but also gave Offence to Catholics. *John Hessel*, *Bredenbachius*, and *Robertus Cenalis*, wrote against it. His Design however was approved by several moderate Men; and the Princes of *Germany* thought no Man was more proper than himself to pacify their Differences in Religion. *William Duke of Cleves* called him to *Duisbourg* in 1564. to examine the Cause of the Anabaptists, and to endeavour to re-unite them. He was employ'd in it when the Emperor *Ferdinand*, who believed that he might be very serviceable to him in the Design which he had of re-uniting the Protestants, sent to *Cassander* to come to him. The Emperor's Letter being given to *Cassander*, June 21. 1564. he desired to be dispensed with from making that Voyage, because of the Pains of the Gout, with which he was perpetually tormented; and offered to write to him upon that Subject, or to confer with any Body about it. The Emperor receiv'd his Excuse, and accepted his Offers. He sent to him to draw up a Summary of Catholick Doctrine; in which he should explain the Articles contested in the Confession of *Angsburg*, and mark those upon which they might come to an Agree-

ment, and the Reasons for which they ought not to part with the rest. *Cassander* hereupon went to work upon the Emperor's Plan, and wrote that famous Piece called, *Consultatio Cassandri*, dedicated to the Emperor *Maximilian II.* *Ferdinand's* Successor, who wrote to the Electors of *Cologne* and *Mentz*, and the Duke of *Cleves* to send *Cassander* to him. But that great Man was not in a Condition to undertake that Voyage; and the Gout, which kept him almost always in Bed carried him off at last, when he was fifty two Years of Age, five Months, and ten Days, February 3. 1566.

Cassander's Works, which were printed severally in different Places, were all collected in one Volume in *Folio*, in an Edition at *Paris* in 1616. to which his Letters are added, and two Conferences with the Anabaptists, never before printed.

The first Discourse in that Edition is Intituled, *Liturgica: Or, Of the Rise and Order of the Celebration of our Lord's Supper, which the Greeks call Liturgia, and the Latins Missa*. This Book is only a Collection of Passages out of Ecclesiastical Authors upon all Parts of the Mass, made with Choice and Judgment. Next comes the *Ordo Romanus*, before which he puts a learned Preface; in which, after having reprehended those that published Treatises of the Rites of the ancient Church very confusedly under *Charlemagne's* Name, he says, that this *Ordo Romanus* was drawn up by *St. Gregory the Great*, who reformed *Gelasius's*; that *Charles the Great* introduced that Custom in all the Countries of his Dominions; that *France* and *Italy*, all but the Church of *Milan*, had very readily receiv'd it; that the *Spaniards* long retain'd their ancient Custom; but that they were forced at last to receive it against their Wills under Pope *Gregory VII.* and King *Alphonfus VI.* He derives the Word *Missa* from the *Dismissio* (a) of the People. He takes notice, that that Word was formerly given to none but publick Masses. He shews, that it was long the Custom the of Church to distribute the Body and Blood of Christ to all the Assistants. He thinks private Masses were first introduced into Monasteries, when the Monks desired to celebrate the Holy Mysteries without calling the People together; that the Bishops also gave it Countenance when they said Mass in the Chappels of their own Houses; and that at last they became very frequent, especially in Monasteries. He mentions the Masses of the *Pre-Sanctificati*, used among the *Greeks*, which Cardinal *Humbert* disapproves. He blames the Masses said at two, three and four Faces, (b) which were in use some time ago in *France*: These were several different Masses, said as far as the *Offertory*, and followed only by the *Canon*. He does not forget also to speak of the dry Masses, in which there was no Consecration nor Communion, and which ought never to be said but when they could not celebrate an entire Mass. At the End of the *Ordo Romanus*, is put an Explication of some Liturgick Terms, and of the Names of Ecclesiastical Officers made by *Peter Bishop of Oviedo*.

George Cassander.

Before his *Collection of Hymns*, there is a handsome Epistle Dedictory; in which he treats of the Antiquity of Ecclesiastical Hymns, after having reprov'd very gravely the Custom of such Churches in Germany which had not removed that Barbarity in their Singing which had crept in. He says, the Apostolical Epistles inform us, that in their Times Hymns and Songs were repeated in the Assemblies of Christians. He owns, that those Hymns were of a different Nature from those which we call by that Name; because that Word, generally taken, signifies all manner of Divine Praises; that in this Sense the *Psalms*, which contain the Praises of God, are called Hymns. St. Isidore says, two Things make up a Hymn; it must be Commendatory, and in Praise of God. Hymns are divided into Divine and Humane. St. Hilary and St. Ambrose were excellent Composers of Hymns. St. Ambrose first introduced into the West the Custom of Singing Hymns in imitation of the Eastern Churches. The Hymns which he made are so compos'd, that the Sense ends at the fourth Verse, that so they may be sung by two Chorus's. Cassander declares, he intended only to collect those Hymns which are sung in the Divine Offices, which are compos'd by the Ancients; and to those he has join'd Bede's and some Hymns made by Jodocus Clichtovans, and George Fabricius, who imitated St. Ambrose. Among these Hymns, some are in Praise of Saints. Cassander shews, that the Praises of them have Relation to those of God, because they receive their Praise from him; and that when we praise them, we praise in them the Gifts of God. Thus these Titles of Hymns, *A Hymn of St. Peter*, or of St. John, ought thus to be understood, *A Hymn or Song of Praise of God, in Memory of St. Peter, St. John, &c.* and so we ought to understand, *A Church, an Altar, a Mass of St. Peter, of St. Paul, &c.* He blames the Epithet *Divus* which some gave to the Saints. He shews, that that Term among the Pagans signified the same with *Dens*. He prefixed to his Collection a Treatise of Bede's, concerning the Measures and Feet of Hymns. He makes Scholia upon the Hymns which he produces; in which there are a great many curious Remarks. Upon the Title of the first, which is for Sunday, at the Nocturn, he says, concerning the Word *Nocturn*, that the Name *Mattins* is very improperly given to the Night-Office, which is properly that Office which we call *Lauds*: That the Night-Office is divided into three Nocturns, which are said at three different-times; the first at the Beginning of the Night, when People usually go to Bed; the second at Midnight; and the third a little before Day-break: That at the great Festivals, the People watched all Night; whence comes the Word *Vigilie*. Upon the Term *Mereamur*, which is in the second Hymn, he observes, that the Word *Meriting* in ancient Authors signifies *to obtain*, or *to be worthy of obtaining*. Upon the Hymn of St. Peter, he explains the Meaning of these Terms, *Prime Tierce, Sext, None*; and takes notice; that the Latins and the Hebrews divided their Day into twelve Hours, and these twelve Hours into four Parts; that these Hours began at Sun-rising, and ended at Sun setting, and so were more or less long in proportion to the length of the Days; that the first Part began at Sun-rising, and lasted till half the Time between Sun-rising and Noon; that this was called *Prime*, from the Name of the first Hour, [*Hora Prima*]; that the second, which lasted till Noon, was called *Tierce*, because it began at the third Hour of the Day, [*Hora Tertia*]. The third, which began at Noon, was called *Sext*, because it began at the sixth Hour; and the last, which began at the middle of the Afternoon, *i. e.* at half the Time between Noon and Sun-setting, was called *None*, because it began at the ninth Hour, [*Hora Nona*]. These Hours, by which they began the four Parts of the Day, being set apart for Prayer, every one of those Offices had their Names from the respective Hours. Upon Festival Days, Mass was said at the *Tierce*; upon other Days at the *Sext*; upon ordinary Festival Days at *None*, because they usually fasted so long. In Lent the Fast was prolonged till *Vespers*.

Cassander is much perplexed about the Office of *Prime*, how to reconcile it with the ancient *Lauds*, which he would not have been, had he known that that Office had not been so ancient. Upon the Hymn at *Vespers*, he observes, that the Custom of calling *Vespers* in the Plural *Vesperæ*, and not *Vespera*, comes from the Jews, who used the Dual between the two Evenings, to mark out the Time for killing the Paschal Lamb. Upon the Word *Feria*, he observes, that the Ancients called their Festivals *Feria* in the Plural; but then the Primitive Christians, not being willing to call their Days by the Planetary Names by which the Heathens called them, took up the Word *Feria*, calling no Day by a proper Name, but the first Day of the Week [*Dominicus*], and the last [*Sabbatum*]. He has a long Note concerning Baptism, Confirmation, and the Eucharist. He affirms there, that the Name *Confirmation* was sometimes given to the Distribution of the Blood of Jesus Christ, which was given after the Communion of the Body of Jesus Christ. He speaks also of Communion under the Species of Bread dipped in the consecrated Wine; and of Confirmation made by Chrismation. In another Note, he speaks of the Ceremony of lighting the Paschal Torch: He shews that that Ceremony was done in the Evening; and that the Torch was lighted in the Presence of the Catechumens all Night long. He commends the Custom of some Churches,

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where they keep their Children unbaptized till *Easter-Eve*, and *Whitsun-Eve*. In one place he explains the Word *Litany*: It is a publick Prayer instituted to implore the Mercy of God. The Latin Word *Supplicationes* comes from the Heathens, who called their Feasts by that Name; in which Sacrifices were offered of the Goods of those who had been condemned to any Punishment. In *Litanies* we pray to God to be merciful to us; and we invite the Holy Spirits to pray to God with us. Cassander approves of this Custom, and questions not but the Saints pray for us. If, says he, the Prophets could call upon Angels, and invite them to praise, why may not we address our selves to Saints, and say to them, *pray for me*? Which he thus explains, *would to God that all the Saints would pray for me! How do I wish for it! How do I desire it!*

He has a long Observation concerning Communion under both kinds, and observes, that even in St. Thomas's time it was used in several Churches. He produces a Hymn compos'd by Ludovicus Vives concerning the Blood of our Lord, which, it is pretended, was brought from beyond Sea by Theodorick Count of Flanders, and for which, a great Festival is observed at Bruges. Cassander thereupon observes, that Divines are not agreed whether there be any of the Blood of Jesus Christ upon the Earth: Yet St. Thomas believes, that our Lord resumed it entirely at his Resurrection; but that Francis Mayron believ'd there was no Inconvenience in saying, that some of it staid here below; because it is probable that glorified Bodies have not so much Blood as mortal ones. Hereupon Cassander makes this noble Reflection; 'In this Division of Opinions, is it not safer, and more advisable, in Obedience to the Advice of Jesus Christ, to adore with the Jews what we know, than to imitate the Samaritans, who know not what they worship?' He handles also another Theological Question, concerning the Merit of the Saints. He affirms, that by that Word we ought to understand the Actions and the Works of the Saints, done by the Faith of Jesus Christ, and for his Sake, and upon that Account agreeable to God; but however that they are the Gifts of God, which he recompenseth with Eternal Life, not upon the Account of their Inward and Efficacious Virtue, but because of the Covenant and Decree which he hath made to give Eternal Life to those that shall persevere in Goodness; which also besides is due to them as Children and Heirs, made so by the Acquisition of Jesus Christ, by his Blood, and given in Baptism, if thro' their own Faults they make not themselves unworthy of the Right which they have therein. He thinks that the exactest Schoolmen say, that Eternal Life is given *pro bonis Meritis*, and not *propter bona Merita*, because the Particle *propter* denotes the Efficient Cause; whereas *pro* denotes only the Sign, the Way, the Occasion. But tho' we should say, that Eternal Life were given *propter Merita*, because of Merits; yet he thinks by that Term we only ought to understand, that Merits make us obtain it, and not that they are the Cause. He quotes Bradwardin and St. Bernard for his Opinion, and quotes these Words of the latter, that Merits are the Way that leads to the Kingdom of God, and not the Cause of the Kingdom of Heaven; which, says he, the Schoolmen explain by these Words, that Merits are not the Efficient Cause properly so called; but a Cause *Sine qua non*; (*i. e.*) such a one, as without which we could not obtain the Kingdom of Heaven.

Upon Occasion of a Hymn to St. Catherine, Cassander observes, after Gobelinus, that none of the Ancients mention this Saint; and that what is said of her in her Acts, that she suffered Martyrdom at Alexandria under the Emperor Maxentius, does not agree with History, which teaches us, that Maxentius was always at Rome: That neither can we reconcile with History the Quality of a King's Daughter, which they give her; nor the Name of her Father Costus, so called, because he was of Constance, or Costnitz in High Dutch; and several other Circumstances of her History. Among the Hymns produced by Cassander, there is one which the Clergy sang while they gave the Unction to the Sick: From hence he takes an Opportunity to explain the Circumstances of Extream Unction, and to observe, that the consecrated Oil, used for the Sick, was used also for the *Energumeni* [possessed.] His last Note is upon the Invocation of the Holy Spirit. He there shews, that we may as well direct our Supplications to him, as to the Father and the Son. There are besides several other Notes of Cassander's to explain Terms in Hymns, or to correct them, or to shew who are the Authors.

Cassander also made such a Collection of those Prayers which they call *Collects*, as he had made of Hymns; but he had neither Leisure nor Health sufficient to add Notes to them; he only prefixed an Epistle Dedictory, in which he shews the Excellency and the Beauty of those Prayers; and towards the End speaks of the necessary Dispositions to make our Prayers useful and pleasing to God, which are Attention, Humility, Confidence, Fasting, and Almsdeeds. After this Epistle comes an Advertisement concerning the word *Collect*, which signifies an Assembly of the People; and is oppos'd to *Mass*, which signifies the Dismissing of them; so that in this Sense there can be no *Collect* without a *Mass*, nor no *Mass* without a *Collect*. He thinks the Prayers called *Collects* were used when they began to repeat the *Psalms* at

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the Mass, or Verses of the Psalms before the Gospel and Epistle. *Hugo de Sancto Victore* attributes that Institution to *P. Gelasius*, and to *St. Gregory the Great*; which is probable, tho' the Style of most of the Collects would lead one to think they are later. Those that are attributed to *St. Ambrose* are not his. The number of Collects was so much encreased, that some Councils thought it necessary to forbid the receiving all sorts of Collects.

Cassander first published the Dialogues of *Vigilius Bishop of Trent*, and the five Books of the same Author against *Euzyches*. They are inserted into the Collection of his Works, with an excellent Preface, in which he speaks very worthily of the Mysteries of the Trinity and the Incarnation, and of gentle Ways of reclaiming Hereticks.

He published also a Treatise of *Honorius of Autun* concerning Grace and Free-will, with an Epistle Dedicatory before it; in which, after having observed, that the Pagan Philosophers were no less divided than the Christian Divines about Questions relating to the Preseience of God, and the Liberty of Man, he discovers the Excesses into which *Pelagius* fell upon that Score; the vain Artifices of the *Semi-Pelagians* in this matter; the Methods by which *St. Augustine* and *St. Prosper* opposed this Doctrine, and asserted gratuitous Predestination, and the necessity of Grace. He adds, that *St. Augustine's* Opinion was maintained by *Honorius of Autun* and *Bradwardin*. He affirms with *Driedo*, that the handling of these Questions is of use. At last, he shews, that the Doctrine of gratuitous Predestination ought not to hinder Men's labouring after their own Salvation; nor does it make them inexcusable on the Score of the Sins which they commit, and neither inspires them with Negligence as to their Salvation, nor with Despair. This Tract of *Honorius's* is followed with *St. Prosper's* and *Hilary's* Epistles to *St. Augustine*, and with some Sentences of that Father's concerning Predestination and Grace.

The Duke of *Cleves* having invited *Cassander* to oppose the *Anabaptists*, he applied himself with Care to examine the Question of Infant-Baptism. This being one of those Questions which cannot be directly decided by Scripture, he recurs to Tradition, and the antient Usage of the Catholick Church. He shews, that the Opinion of those who think we ought not to baptize Infants, is a new Error: That the antient Hereticks did not dare to maintain it; that *Berengarius* is accused of it without ground; that the *Albigenses* were the first who dared positively to declare against Infant-Baptism; that *Peter de Bruis* and his Disciple *Henry* publickly taught, that Infants ought not to be baptized; but then their Notion was quite different from that of these new *Anabaptists*, because at the same time that they refused to baptize Infants, they denied them to have any share in Salvation; that the *Vandens* and *Picards* did not follow the Error of the *Albigenses* in the matter of Infant-Baptism; and that this Error was not revived till 1522. by *Nicholas Stork*, and *Thomas Munzer*, fanatical and seditious Men; that *Melebius Hofman* introduced it into *Germany*, with other Errors equally pernicious; which were embraced by *Udo* of *Lenwarden* and *Mennon*, who at his Death left *Theodore Udo's* Brother to defend his Doctrine; that those of this Sect were Fanaticks, who deserved Compassion more than Chastisement. He applies to them several Passages of *St. Augustine's* against the *Manichees*, and opposes to them the unanimous Consent of all Churches, whose Weight and Authority he shews, which ought to move all that have any Sense of Religion, and any Remainders of good Sense. Having thus set forth his Reasons in his Epistle Dedicatory to the Duke of *Cleves*, he establishes the Authority of antient and universal Tradition in a Preface by it self; and then lays down Propositions taken out of Scripture, upon which he founds the Practice of Infant-Baptism. I. That all Men are born under the Guilt of Sin in a State of Death, the Objects of God's Wrath, and subject to Damnation. II. That Infants cannot be saved, unless they be purified from this Sin, redeemed from this Death, regenerated by Jesus Christ, and delivered by his Blood from eternal Damnation. III. That this Remission of Sins, which is made by Virtue of the Blood of Jesus Christ, relates to Children; and that no Man ought to be excluded from the Covenant which God has made with Man, from the Promises of Grace, from the Adoption, and the Kingdom of Heaven. IV. That the Sign of this Covenant, and of this Society, relates to Infants as well as others; as the Example of the Circumcision of Infants in the Old Testament is a Proof of. V. That Baptism is not only a Sign of Forgiveness of Sins, but also a Means and Instrument instituted and ordain'd by Jesus Christ to obtain it, and for us to be redeem'd and regenerated by it; whence it follows, that Infants that are born under the Guilt of Sin, and subject to Death, cannot obtain Forgiveness of their Sins, be regenerated by a Spiritual Regeneration, made Members of the Body of Jesus Christ, and become his Children by Adoption, if they receive not the Sign, the Pledge, and the Instrument of Remission, Regeneration and Adoption, (*i. e.*) Baptism. Then he shews the Tradition of the holy Fathers of the Church for Infant-Baptism, beginning with *St. Irenaeus*, and ending with *St. Augustine*. He confirms at last what he had said of the universal Practice of the Church relating to

Infant-Baptism, by the Practice of the *Greeks*, *Muscovites*, *Aethiopians*, and other Christians of Communion which have been long separated from the Church of *Rome*. He owns there is some Diversity about the Rites of Baptism, and the Time of baptizing, because formerly they never baptized solemnly but at *Easter* and at *Whitsuntide*, and in some Churches at the Feast of *Epiphany*. But then he asserts that all the Variety in this Matter was, that upon those Days Children were baptized like Adults in all Churches; and that when they were in danger of Death, they were baptized at all times.

He wrote also another Treatise concerning Infant-Baptism, in which he lays down three Propositions. I. That Salvation and eternal Life belong not to Children born in the Church, but only to those who are sanctified and consecrated by Baptism. II. That Infants born in the Church need to be regenerated, (*i. e.*) to have their Sins forgiven them, and to be adopted, to obtain the Kingdom of Heaven. III. That those who want to be regenerated in order to obtain the Kingdom of Heaven, ought to receive Baptism, which is the Sacrament of that Regeneration. Having laid down those Propositions upon solid Principles, he answers the Objections of the *Anabaptists*. Then he undertakes to justify Exorcism and Infufflation, as well as Renunciation, and the Profession of Faith, and the other Ceremonies of Baptism. He shews by Passages of the Fathers, that they are very antient, and gives the Reasons. 'The Minister of the Church, (says he) declares by Exorcism, and by the Infufflation, that all Men, and even Children before they are baptized, are not yet regenerated in Jesus Christ; that they are in Darkness, and Slaves to Sin and the Devil, from which they are delivered by the Ministry of the Church; that the Minister of the Church, as Executor of the Judgments of God, commands the Devil to surrender up to God the Empire which he has over that Creature; that this Exorcism is also instead of a Prayer, whereby he conjures God to destroy the Power of the Devil: Lastly, that the Virtue of Exorcism does not consist in the Words, but in the Prayer of the Church, which being made according to the Word of God, cannot be useless.' As to the Renunciation and Profession of Faith made in the Childrens Names in Baptism, they are necessary to let us know that they are become Members of the Church; that these things being performed by those that bring them, are esteemed to be done by the Infants; that the Church understands for them, believes for them, undertakes for them, answers for them. That the other Ceremonies consist either in Prayers or Lessons, which can only edify the Standers-by; or in Symbolical Actions, such as the Sign of the Cross, Imposition of Hands, Unctions, &c. Ceremonies which cannot be blamed if we attend to the Reasons for which they were instituted; namely, the setting forth the Effects of the Sacrament of Baptism in a more sensible and expressive Manner. He approves in particular the Use of holy Water; and blames those that in the wrong place condemn those Ceremonies which they own to have been very antient in the Church.

Last of all, have proved, that Infants ought to be baptized, he examines in a particular Treatise what the Condition is of Infants before Baptism, and when they die without having received that Sacrament. To clear this Matter, he sets down the different Opinions Men have entertained of the Effect which Baptism produces in Children. 'Some, says he, in our time have laid, that Children ought to be baptized, only because they are sanctified and made Children by Adoption already in their Mothers Womb; for which Reason they believe, that the Sacrament of Baptism belongs only to those who are born of faithful Parents. This Notion he rejects, and proposes a second. Others, says he, say, Children ought to be baptized, because, let their Parents be Believers or Unbelievers, still they are born under Sin, liable to Damnation, unworthy of the Kingdom of God, and unable to be delivered from that Sin if they are not baptized. Among these, some pretend that Infants are justified by an actual Motion of Faith; others think, 'tis by the Faith of the Church. It is allowed by every Body that Baptism is given for the Remission of Sins, and Adoption; but those that think the Infants of the Faithful are sanctified from their Mother's Womb, allow no other Effect to Baptism, but that of certifying and confirming that Sanctification. Others on the contrary believe, that by Baptism, Men obtain Remission of Sins and Adoption: But among these, some annex these Effects so particularly to the Reception of the outward Sign, that they believe that Children who are deprived of it by an unavoidable Necessity, and not by the Negligence of their Parents, are also deprived of eternal Life, and of Salvation. Others think that Baptism has indeed this Virtue; but then what is said of Adults may also be applied to Infants; namely, that a Resolution of receiving is sufficient; and that we do not lose its Effects, when we are incapacitated to receive it, not out of a contempt of Religion, but by an unavoidable Necessity: That God receives the Will for the Deed, and obliges not to Impossibilities; that the Will of the Parents and of the Godfathers ought to be considered as the Childrens own Will.' For this Opinion he cites *Cajetan*, *Gerson*, *Gabriel Biel*, *Tilman*,

Tilman, a Divine of *Cologne*, a Dominican and *Thomas Elysius*, who wrote a large Discourse, Entituled, *Piorum Clipens adversus Hæreticorum prævitatem*, out of which he produces large Extracts, which clearly shew that Divines have been of that Opinion. He adds, That Men are much gone off from that Rigour with which they use to speak of the State of Infants that die without receiving Baptism: That most of the Antients held that they should be condemned to eternal Punishments: That the Schoolmen have softened that Notion by asserting, That they do not suffer the Pain of Sense, that is of Fire, but only of Loss, which consists only in being deprived of the Sight of God: That the Ancients believed that Baptism ought to be compleat to procure Salvation to Infants; whereas *St. Bonaventure* on the other side believed, That if an Infant died whilst the Minister was baptizing of it, and before he had quite done, God would shew Mercy to that Infant. "What Inconvenience, (says *Cassander*) is there in extending this to the Parents Vows, who get all ready to have their Child Baptized? And if the actual Faith of Infants can be supplied by the Faith of the Church, in those that are Baptized, why can it not be so in those who have an interpretative Faith in the Design and Will of the Parents? Why may they not be considered as Catechumens, and so thought capable of the same Grace?" This is what *Cassander* labours to prove concerning the Infants whom their believing Parents intended to have had Baptized, if they die before they could actually receive Baptism. But he is not of their Opinion, who think that all Children born in the Church of Believing Parents, are sanctified by Virtue of God's Promise, without any regard to the Sacrament of Baptism, as not being necessary for the Remission of Sin. And as to those who are born of Unbelieving Parents, and die without Baptism, he does not question their being deprived of Blessedness; but he is of the Opinion of the Schoolmen, who think they do not suffer the pain of Sense; and herein he declares that he forsakes *St. Augustin*. He acknowledges however that he does not intend to defend this Notion obstinately, nor to condemn those who grounding upon the Authority of the Ancients and the Custom of the Church, allow Salvation only to those Infants to whom God gives the Grace of receiving Baptism. He confesses that he embraced the Opinion now explained, only because he found it was the gentlest, the most comforting, and the least shocking to abundance of People. And at last he protests, that he submits his Opinion with all his Heart to the Judgment of the Divines of the Catholick Church, who are more discerning than himself; and that he had been led to entertain it, not out of Obstinacy, or a love of Novelty, but out of a motive of Piety, and a desire of the common Salvation.

The Works of *Cassander* which have made the greatest noise, are those which he wrote upon controversial Questions. The first was a small Tract, Intituled, *Of the Duty of a pious Man who truly loves Peace in Differences of Religion*. This subject he handles thus. "I know, (says he) there are several Persons, who, in these unhappy Differences, which divide almost the whole Christian World, are in great Perplexities: they perfectly see what they ought to avoid; but they do not see whither to retire. I have formerly been my self tormented and agitated with this Tempest, but at last, I think, I have found a Port where I may find shelter." This led him to give his Advice, that he might give the same Ease to those who were in the same Condition; and the more, because he was persuaded that the way which he took was very proper to procure Peace and Concord. "I have, (says he) ever had a great Respect for the Constitutions and Ceremonies of the Church, detesting however all Superstitions that I could ever discover. This Disposition led me to approve of their Design who required a Reformation of superstitious Ways of Worship: But when I perceived that they went too far, and that instead of being charitable Physicians, they became cruel Enemies, desiring not only to reform Abuses, but entirely to destroy the Discipline of the Church. I thought my self obliged to read the Writings of those that opposed them, wherein also I found things that did not please me. Because, as the former, out of Hatred to Vice, were for cutting off sound Parts, or such as were easily curable; so the latter, out of a blind Love for the Body, were for the defending even Faults and Vices, as things in which there was no harm. Both therefore being gone astray from the way they were to keep, some to the right Hand, and some to the Left, I resolved to lay by all Prejudices, all Interest of Parties, and all Engagements, that I might judge soundly of these Controversies. The first thing which I thought I was to do, was to chuse a Judge, and I found none more infallible than the Holy Scriptures, well understood; for I quickly found that the Text of Holy Scripture alone, was not sufficient to decide these Controversies, because the Hereticks make use of Scripture Expressions as well as Catholicks; that the only way to know the Truth, and to reject Error, would be to know the true Sense; and last of all, that the Understanding of this Sense depended upon common Consent, and the publick Testimony of all Churches, to which the Apostles

entrusted the sacred Pledge of the Doctrine which they received from Jesus Christ; for those who at the beginning of the Church bore Witness that the Doctrine contained in these Writings was Jesus Christ's and his Apostles, have certainly also told their Successors the true Sense of these Writings, which they received *viva voce* from the Apostles themselves, who explained this Doctrine to them in its utmost extent. This is the universal Tradition which some call unwritten Truth, though in the Questions which concern Faith, there is nothing which is not some way to be found in Holy Scripture; and though this Tradition is only an Explication and Interpretation of the Scripture, so that it may be said that Scripture is a kind of shut and sealed Tradition, and Tradition is an open and unfolded Scripture." To establish this Rule, he cites the Testimony of *Vincentius Lirinensis*, and applies it to the Sense which ought to be given to the Beginning of the Gospel of *St. John*. Then he distinguishes four sorts of Questions which relate to Religion: 1. He thinks that Doctrine ought to be look'd upon as True and Catholick, when it is clearly express'd in Holy Scripture. 2. That we ought to pay the same Respect to what relates to the Explication of the Sense of Holy Scripture, which we have received since the Apostles times by a successive Tradition. 3. That all Persons of Piety and Religion ought also to receive the Doctrine approved by all Churches, or by the greatest part, and grounded upon probable Reasons taken out of Holy Scripture. 4. That there are some Questions which are neither clearly founded upon Passages out of Scripture, nor grounded upon an ancient and unanimous Consent of Churches, which yet however have been established and received in these latter times by the greatest part of the Churches of the West; and since they are not contrary to Scripture, they ought not to be opposed with so much Obstinacy: And therefore he thinks the Peace of the Church ought not to be disturbed about them. And that if a received Opinion does not appear plain to any one Man, yet he ought not openly to contest it, but look out for Light and dispute with knowing and moderate Men. In things wherein the Judgments of the Learned are divided, it is certain, that every Man has a Liberty of following what he thinks convenient. Lastly, if in these last corrupt times, some Opinions be crept in contrary to the Holy Scriptures, and to ancient Tradition, he owns they ought to be avoided and shunned: But he does not think that private Men ought to oppose them before all Mankind indifferently, especially when it is certain that such Disputes will cause Scandal, and be of no manner of use: That upon such occasions Men ought to use that Christian Foresight, which teaches us not to lay in the wrong Place all we think, but so as never to say any thing contrary to our Thoughts; which we ought however generously to discover when the Glory of God and the Advantage of our Neighbour are concerned. These are his Thoughts concerning Ceremonies instituted or received to preserve Order and maintain the Discipline of the Church; namely, that we ought exactly and entirely to observe those which Jesus Christ has established as Bonds for that new Society of his People, which are called Sacraments: That we ought not to think there is any Thing imperfect or superfluous in these Ceremonies: That the Apostles and their Successors had a Power of instituting Rites and Ceremonies for the good of the Church, as well relating to the Administration of these Sacraments, as the Government of the Church: That some of these Ceremonies have been practised since the beginning of the Church, by all Mankind, and ought to be perpetually observed, because the Reasons for which they were appointed subsist for ever; and therefore they are called *Apostolical Traditions*, and *Universal Customs*, concerning which he is of *St. Augustin's* Opinion, that it is Folly and Insolence to be against their being observed. He owns however, that there may be ancient practices, formerly universally received, which having become useless, nay pernicious, upon account of the Abuse which has been made of them, have been abolished by Disuse, or may be abolished by publick Authority, Provided it be done without Scandal: That there are also ancient Rites, of which Footsteps remain in the Church, though foreign to the End and Use which was formerly made of them: That for these, he thinks they should be observed for the good of Peace, till they can be made serviceable to the End for which they were appointed, or be entirely abolished by publick Authority: That some very ancient Usages have been laid aside, which it would be convenient to restore, if it could be done without Trouble: And lastly, that some Customs are peculiar to some Churches, which, though ancient, are different in different Churches: That for these we ought to follow *St. Augustin's* Rule, to conform to the Customs of those with whom one lives, when they are neither contrary to Faith, nor good Manners: That we ought however, as far as we can, to retrench those that are chargeable to the People; but that sometimes we are obliged to retain some which do not seem to be of great use, that we may not disturb the Peace, and may avoid Scandal. He confesses some superstitious Practices have crept in, which might better be taken away; but then that Two

Extremities should be avoided, that of condemning Usages that have no harm in them, out of hatred to Superstition; and that of defending Superstitious and Prophane Rites, out of a blind Love to Ceremonies

the latter *Part of the Sixteenth Century.* *George Cassander.* Cassander having laid down these Principles, applies them in this manner: "Being (said he) Born and Regenerated in the Western or Roman Church, which retains the Apostolical Doctrine in its Fundamental Articles, which observes the Sacraments as Jesus Christ instituted them, in which one sees the Image of several Ceremonies practised in the Antient Church, in which there is a Succession of Priests and Bishops that govern it, tho' they have degenerated from the Purity of their Ancestors, we cannot but honour this Church as a true One, as the Temple of God, and as a considerable Part of the Catholick Church; though, added he, I own that this Church has much degenerated from its ancient Beauty and its primitive Splendour; That it is sully'd with several Vices; attacked by various Diseases, and sometimes unhappily oppress'd by the Tyranny of its Governours. I attribute, says he besides, all these Things to that outward Society which we call the Western or Roman Church, because it preserves the Word of God and the Sacraments, and contains great numbers of the Elect who compose the true Church of Jesus Christ, and his Spouse, though there are in that Society several Persons, even among those that govern it, that do not belong to the Church of Jesus Christ; and are Enemies of Him and of his Doctrine, and exercise Tyranny as if they were Strangers. He declares also, that he is not disposed to condemn Persons who Persevering in the Foundations of Apostolical Doctrine, and being persuaded that there are Abuses to be reformed, would undertake this Reformation; and being Authorized by the Sovereign Powers, would change some Ceremonies for the publick Good, provided it be done without Scandal, Trouble, or Schism: But then he cannot commend those who, under a pretence of going as far as possible from the Abuses of the Church of Rome, go from the Church itself and leave her Communion, and seem to have no other Aim but to destroy and ruin her. Nor does he approve of some of the Governors of the Church of Rome, who cannot suffer any Abuses which need Reformation should be discovered, and persecute and kill those that give them notice of them. But then he is not for charging the Church of Rome with the Faults of some of its Governors; nor does he think it therefore ceases to be a true Church.

Then he raises this Objection. Some will tell me, that the Papists came indeed out of the true Church, but apostatized through false and new Opinions, and by impious ways of Worship; and consequently we ought to separate from them, as from the Church of Antichrist, and the Synagogue of Satan. He answers, That there is a great deal of Difference between degenerating from the Purity of the Doctrine and Manners of the ancient and primitive Church, and being no longer a Church: That Jesus Christ is the Foundation and Head of the Church; and that if his Successors have upon this Foundation built false Doctrines, yet, provided they do not destroy the Foundation of those Doctrines, the Church ceases not to be a Church. That all those who hold the Doctrine of Jesus Christ, and have Charity withal, tho' they are of different Opinions, and observe different Customs, yet are of the Church, and ought not to be look'd upon as Schismatics, though they are rejected by the most powerful Part of the Church, and seem to be separated from its Communion; because it is not an outward Separation, but the Cause of such a Separation which makes a Schismatic: Which, says he, I say only of those who are uneasy at this Separation, who ardently desire Peace and Reconciliation, and who are united by the Bonds of Faith and Charity with those of the outward Communion, from which they separate, and who are ready to re-enter into their Communion. He acknowledges, That the Majority of those who call themselves Evangelicks, are very far from this Spirit, though their Leaders *Luther* and *Calvin* have talked otherwise. As for those that hold impious Opinions, and contrary to the Doctrine of Jesus Christ, such as are the Anabaptists, *Cassander* thinks they ought to be declared Hereticks and Schismatics; though he dares not pronounce concerning the Damnation of simple Folks whom they have led into an Error; and leaves the Judgment to God.

The Catholick Church, according to him, is composed of all Holy Men, who adhere to the Evangelical and Apostolical Tradition throughout the World, as well in the ancient Catholick Church, as among those that call themselves Evangelicks, and in the Societies of the Christians of the East: Here he leaves the Doctrine of the Catholick Church, and advances a Principle which may have terrible Consequences. He is very angry at the Names of Faction and Party, which these Societies mutually give one another. He condemns those that are hot and opinionated on both sides. On the contrary commends those that have a Spirit of Gentleness and Charity, who long for a Re-union, and la-

bour all they can to contribute towards it. He owns however that the Condition of these is deplorable and very dangerous, since they are equally odious to both governing Parties; but maintains, That is the Disposition in which those who truly love Religion ought to be. He says they ought only to take care that they do not hurt their Consciences by betraying the Truth, or by too great a Love of Peace, or out of fear of Danger; and not to disturb the publick Tranquillity by an indiscreet Zeal, and by too great a Nicety of Conscience in things that are not necessary. This says he, is the Duty of a Pious and Religious Man who leads a private Life and has no publick Ministry in the Church. But those that are obliged to teach the Word of God, and to be his Ministers, ought not to dissemble Errors and Abuses, but reprove them boldly; seek means to correct them; try all, and suffer all in defence of the Truth. He admonishes Men to take care that in the Establishing of Peace, they do not mistake for Peace such a Tranquillity as Bondage and Corruption in the Church will produce; because there is no true and solid Peace but what is joyned with the Glory of God, and which connives at no Corruption of Doctrine and Worship. He says Princes have not laboured as they ought, to remedy the Evils with which the Church has been afflicted; that they have followed evil Counsels, and have not followed the proper Methods to succeed.

This Book being printed without a Name, was ascribed to *Baldwinus* by *Calvin*, who writ against this Mediator, and used *Baldwinus* very coarsely in that Answer. *Baldwinus* defends himself in his Commentary upon the Law *De famosis Libellis*, and denies that he wrote that Book, and discovers the true Author. *Calvin* replied to that Answer of *Baldwinus*'s and still maintained that he had a good Share in the Work; and spake with Contempt of *Cassander*. Then he discovered himself, and drew up a Dialogue between *Modestus* and *Placidius*; in which he declares, that he wrote that Book; that *Baldwinus* had no Share in it; answers the Reproaches which *Calvin* cast upon him, and defends his former Propositions; particularly those relating to the Authority of Tradition, for the understanding the Sense of the Holy Scriptures, in defending a regulated Worship of Saints, he blames those that trust more in the Blessed Virgin *Mary*, than in Jesus Christ, and who give the Mother Titles that belong to the Son. In this Paper he resumes all the Propositions in his Treatise *De Officio Viri Pii*, supports them with Examples and Authorities and replies to *Calvin*'s Objections. He declares, that he could wish Communion under both kinds were restored; that Priests would not say Mass, unless there were several Assistants to receive the Communion; and that the Service were performed in a Language which the People could understand. He is pretty much of *Gerson*'s Mind, That Ecclesiastical Laws do not oblige under Pain of Sin, unless there be Contempt or Scandal; and applies this Notion to the Laws about Fasting. He wrote also an Answer, under the Name of *Bortholomaeus Nervius*, to some Reproaches which had been cast upon him in a Dialogue written in *High Dutch*: But this Pamphlet is smaller than the former, and contains scarce any thing more than a Defence relating to Personal Facts; and so we shall insist no more upon it.

We are come now to the famous Consultation of *Cassander*. In the Preface of that Work, he lays down the same Rules which he had laid down in his *De officio viri pii*, to judge Controversies by; namely, the Holy Scripture explained by the Tradition of the ancient Church, which he would have determined by the Works of Authors, who have written from the Time of *Constantine* to *St. Leo*, and *St. Gregory*. The Doctrine and Government of the Church during those times is what he would have followed, in order to decide all Differences in Religion, both in Doctrine and Ceremonies. He says, there are several Reasons for pitching upon that Term: I. Because, during that Interval of time, the principal Articles of Religion were discussed, cleared, explained, declared and defined against Hereticks, by very Learned Writers, and by the Decisions of famous Councils. II. Because the Church, which till then had been under the Tyranny of Pagan Emperors, was set at Liberty, and had received such a Form of Government, as was most convenient for it. III. Because there were, during that interval of time, very holy and very understanding Bishops, who faithfully preserved the Doctrine which they received from the Apostles, who faithfully taught it to the Churches and who were very far from that Ambition, Avarice and Ignorance, by which the Church was afterwards overwhelmed. He adds, That if the present Church be compared to that, we shall find many Things in which they agree; tho' it cannot be denied that the present Church has much degenerated from the Purity and Splendor of that ancient Church in Form of Doctrine, as well as in Ceremonies; and that the Discipline of the Church is exceedingly changed. That if both Parties would agree to conform to that Church, there would be a way open to restore Peace and Concord, provided they would lay down on both sides the Spirit of Enmity and Hatred, and enter into Charitable Dispositions towards one another: That

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some would labour seriously to reform the principal Abuses which have given Occasion to Schism; and others would abandon the Innovations which they have introduced, and submit to the Authority of the Catholick Church; abstain from Injuries and Invectives, and bear with and dissemble any Abuses which may still remain that chooke them, for the sake of Peace. That then they will have nothing more to do, but sincerely, and without Prejudice, enquire what has been the constant Practice of the primitive Church: However, that all Passages out of the Fathers are not equally proper to acquaint us with it, because sometimes they have given their private Opinions concerning Questions, about which the most able and most excellent Defenders of the Apostolical Doctrine may be divided; but we ought to lean upon such Passages as give a constant and unanimous Testimony of the general and publick Faith of the whole Church. Lastly, That we ought also to take notice, that all Things which we see have been received and observed in the Primitive Church, are not of the same Authority. He takes notice of the four Degrees he had before set down in his *De officio viri pii*. He adds, That we ought not to despise those that lived since the sixth Century; that some of those Authors are esteemed even by Protestants themselves, as St. Bernard, and St. Bonaventure; and that lastly, that it would be convenient, in order to procure Peace, to read the most moderate Writings of both sides, which will shew us, that in several Things we are not so far asunder, but we might easily be made to agree.

In the Body of the Book, he follows the Order of the Articles of the *Augsburg* Confession, and observes upon every Article wherein the Protestants are contrary to the Sentiments of the Church, and what he thinks may be conceded to them, without hurting the Faith; and wherein the Protestants on their parts ought to conform to the Doctrine of the Church.

Upon the first Article concerning the Trinity, there is no Dispute.

Nor is there any upon the second, concerning Original Sin, unless it be in what is said in the Definition of that Sin, That it is the being without Fear, and without Confidence in God, which seems only to belong to actual Sin: But then these Words may be applied to Original Sin, if we suppose that it takes away the Power or Habit of fearing God, and trusting in him. *Cassander* however thinks that it would be more advisable to take away these Terms, and to define Original Sin by a Privation of that Original Justice which ought to be in a Man, joined with Concupiscence. There is another more considerable Controversy, concerning the Concupiscence which remains after Baptism, viz. Whether it is sinful? *Cassander* thinks this is rather a Question about Words, than a true Difference of Opinion: For, says he, according to St. *Augustine*, Concupiscence is always an evil thing, against which we ought to strive continually, not only because it is an Effect of Sin, but also because it leads to Sin, and resists the Spirit; and so in that Sense it may be called Sin; which made one Divine say, that Sin remains in those that are baptized, tho' it is not imputed. But if by the Word Sin we understand an Offence against God, a tended by Damnation, it is certain that in this Sense there is no Sin in those that are regenerated by Baptism; and that this Inclination to Sin, tho' it be evil, is not imputed as Sin, unless we consent to it.

The third Article, concerning the Incarnation, has no Difficulty. *Cassander* here shews, that the Doctrine of the Unity of the humane Nature of Christ is a pure Chimera.

Upon the fourth, concerning Justification, all Men agree, that a Man cannot be justified by his own Strength, or Merits, or Works, but that he is justified freely by Faith in Jesus Christ, and by his Grace. What is added in the Confession of *Augsburg*, that Men are justified by believing that they receive Grace, and that their Sins are forgiven by Jesus Christ, ought not, in *Cassander's* Opinion, to be rejected as impious, since several Catholics have talked in the same manner. He says, that the Doctrine of the Protestants, that Man is justified by Faith alone, may also have a good Sense, if under the Word Faith they take in Grace, and do not exclude Repentance, Fear of God, Trust in him, Love, Obedience to his Law, &c. There have been many Disputes about Righteousness, some making it to consist in the Imputation of the Righteousness of Jesus Christ; others in the Righteousness of a new Life, communicated to us. *Cassander* shews that both ought to be supposed in a justified Person; and that Righteousness does not consist in a bare Forgiveness of Sins, but also in the Regeneration of the outward Man, wrought by Love, which the Holy Ghost sheddeth abroad in us.

In the fifth Article, concerning the Ministry of the Word of God, *Cassander* finds no Fault with what is said in the Confession of *Augsburg*; only he takes notice more distinctly of the Necessity of inward Grace, in order to believe the outward Word.

The sixth Article, of the Necessity of good Works, he allows: The Dispute is only about Merit. It is certain, that Works done without Grace, merit not; and those which dispose to Justification, and go before it, are the gifts of God. The good Actions which the Righteous do, shall certainly be rewarded with Eternal Life; and in that Sense may be called Meritorious.

In the seventh Article, concerning the Church, *Cassander*

finds Fault with their making the Unity of the Church to consist in an Unity of Doctrine, and of the Administration of the Sacraments; because that is not sufficient to exclude schismatical Schismaticks. He affirms, that we must over and above, if we would belong to the Church, be in Communion with that Church which was founded by the Apostles, and which has been continued down to us by a lawful Succession; which Union includes Obedience to Pastors, who have received from the Apostles a Power of governing the Church. To preserve this Unity, we must know what is this Catholick and Apostolick Church, and who are the Pastors whom the Holy Ghost has entrusted with its Conduct. This Church, says *Cassander*, must be visible, and must have an Apostolical Succession. Accordingly, tho' the present Church has degenerated from the Purity of Discipline and Manners, and perhaps from the Doctrine of the Ancients, yet it is always the same, and always the Spouse of Jesus Christ. It would however be convenient, that those who have given occasion to these Divisions, would relax of their great Rigour, allow something to Peace, and reform manifest Abuses.

To keep up the outward Union of this Church, Obedience to one Sovereign Pontiff, who succeeded St. Peter in the Government of the Church, is required. *Cassander* owns this was the Opinion of the Ancients; and he adds, that there would never have been any Dispute upon this Subject, if Popes had not abused their Authority, and made it degenerate into a sort of Domination; which Abuse has given occasion to some to own it no longer. Yet it would be easy to bring them back, if Popes would reduce their Power to the bounds prescribed in the primitive Church, and would make use of it only according to the Practice of their ancient Predecessors, for the Edification of the Church. He adds also upon this Article, that it is not necessary, for the Unity of the Church, that the same Traditions and the same Ceremonies should be observed in all Churches. *Cassander* confirms this Proposition by Passages out of St. *Augustine* and St. *Jerome*; and concludes, that some Ceremonies of lesser Consequence may be taken away, provided that Change be made by publick Authority quietly; and that Men continue still united in the Faith, and in Rites established by universal Custom. He blames what they add in their Apology concerning a Spiritual Unity, to which these Rites, particular or general, do not contribute, because it consists in the Righteousness of Faith, known to God. For, says he, in this place we speak only of that outward Society from which wicked Men are not excluded, in which the Use of Sacraments is necessary, and without which the inward and spiritual Unity cannot so much as subsist.

The eighth Article, concerning Sacraments, setting forth, that wicked Ministers may validly administer them, is agreeable to the Sense of the Church. *Cassander* adds, that Faith is necessary in Adults, that the Sacraments may have their Effect in them; but that however they confer Grace greater than what the Devotion and Faith of the Communicant would obtain without them; That this is what the Schoolmen mean when they say the Sacraments Work *ex Opere operato*; and, That the Protestants are in the wrong to assert, That it is not the Sacrament, but the Faith of the Sacrament, which justifies.

The ninth Article, of infant Baptism, not being contested between Catholics and Protestants, *Cassander* endeavours to reconcile it with his peculiar Opinion of the Salvation of Infants, whom their Parents intended to baptise, tho' they died without receiving it. He declares, That as to the Ceremonies of Baptism, he must think they are not absolutely necessary; but that we may add to them. He mentions here the Sacrament of Confirmation, which is not mention'd in the *Augsburg* Confession. He hopes there will be no Dispute upon this Article, if Bishops would but administer it with comely Gravity. He thinks that tho' the Ancients gave this Sacrament to Children with Baptism, as well as the Eucharist; yet however we may part these Sacraments, and give Confirmation and the Eucharist only to Adults.

The tenth Article, of the Supper, was differently expressed in different Editions of the *Augsburg* Confession, as *Cassander* observes. The Opinion of the Sacramentarians, and of Calvin, is plainly enough rejected there: But the Question still remains, Whether the Body and Blood of Jesus Christ be present there only during the Reception of the Sacrament. *Cassander* rejects that Error, and maintains that the Catholick Church has always believed and taught, That after the Consecration (which is made by the Words of Jesus Christ, and the Invocation of the Name of God) of the Substance of Bread and Wine, it becomes the Body and Blood of Jesus Christ, and the Virtue of that Benediction is not lost, though it be chiefly preserved for the Use of the Sick. He adds, If any one is offended with the new Term Transubstantiation, he will find that the Ancients used the Terms Conversion, Transmutation, Transformation, Transfementation; and though there are different Opinions about the manner how this change is made, yet all agree, that the Eucharist becomes the Body and Blood of Christ, which are present in an invisible manner; That the Good and Evil eat the Body of Jesus Christ, and drink his Blood, but in a very different manner, and with opposite Effects, the one finding there their

Salvation and Life, and the other their Condemnation of the Ecclesiastical Writers of the latter Part of the Sixteenth Century. *George Cassander* finds Fault, in the eleventh Article of the Confession of *Augsburg*, that Confession is separated from the Sacrament of Penance, which is a new way of speaking. What they add, that there is no need of reckoning up all our Sins, may, according to him, have a good Sense, if it be understood of unknown Sins, or which we do not remember, or of a too scrupulous Enquiry into the Circumstances of Sins. But he would not have it understood of those mortal Sins which we ought to discover to our Spiritual Physician: He thinks there would be no Dispute about this Article, if only wise, prudent and experienced Men, were employ'd in taking Confessions.

In the twelfth Article, of *Penance*, he finds Fault with their putting Faith as a part of it. He allows of Satisfaction, which the *Augsburg* Confession rejects, and explains it thus, that tho' the bare Death and Passion of Jesus Christ be an abundant Satisfaction for all our Sins; and that it is by Virtue of this Satisfaction that our Sins are remitted, as well with relation to the Guilt, as to the eternal Punishment; yet it is certain that God demands of Sinners, who have committed great Crimes, that they should weep, fast, pray, give Alms, and shew Marks of a Heart truly penitent, and of a Change of Life. When we perform these Duties, we are supposed to satisfy God, not by offering up these Actions to him as a sufficient Price for the Remission of Sins, but because God requires them of those whom he intends to make Partakers of the Satisfaction of his Son. And these Acts of Penance, are said to appease the Wrath of God, and to redeem us from our Sins; because, when they are made by the Motion of the Holy Spirit, they serve to obtain Forgiveness of Sins; they secure us from the Punishment with which God would have punished the Sinner; and they lessen the Remainders of Sin. Now these Actions are performed by Penitents, either voluntarily, or by Order of the Ministers of the Church; and they are either publick or secret. In the primitive Church they were publick for great Crimes; but that Custom is since almost entirely abolished, and they have been changed into secret Penances, imposed by the Tribunal of Penance. Indulgence was formerly a Relaxation of one part of the Canonical Punishment, which has since been transferred to the Penances and Satisfaction now imposed; and the Power of granting them is solely lodged in the Pope. *Cassander* thinks it would be advisable if they were in some measure corrected and moderated.

He does not reject the thirteenth Article, of the *Use of the Sacraments*; but he thinks it is better expressed in the *Ratisbon* Project of Union, where it is said, That the Sacraments are principally instituted for two Ends: First, to be Signs and (as it were) Pledges of Union between the Members of the Church: Secondly, to be certain and effectual Signs of the Will and Grace of God towards us, to sanctify us, and to assure us that we have received Grace: And last of all, to stir up in us Faith and Charity. Concerning the Number of the Sacraments, he says it is certain that there are two principal ones, Baptism, and the Body and Blood of Jesus Christ; that Confirmation is joined to Baptism; that this is it which made the Ancients reckon two or three Sacraments; that they never assigned the Number of the rest; that *Peter Lombard* was the first who divided the Sacraments into seven; that this Number having been receiv'd, ought so much the less to be contested, because holy Actions, considered as Sacraments, are authorized by the Holy Scriptures, and have been called Sacraments by the Ancients; that the Schoolmen themselves did not all believe these Sacraments to be of the same Nature, since *Peter Lombard* denies that Marriage confers Grace, and *Durandus* ventured to say, that Marriage was not a Sacrament in the same Sense with the rest.

The fourteenth Article, That no Man ought to teach in the Church if he be not lawfully called, admits of no Difficulty; but he does not sufficiently explain what relates to the Sacrament of Order. *Cassander* says something of it, and proposes, as a very proper Method to retrench abundance of Abuses, That the great Number of useless Priests should be lessened; that no Man should be ordained without an Ecclesiastical Title, according to the sixth Canon of the Council of *Chalcedon*; and that they should choose Men of a spotless Life.

The fifteenth Article is of *Ecclesiastical Ceremonies*. He distinguishes them into three Sorts. I. Rites which cannot be observed without Sin. *Cassander* allows that in such a Case they ought not to be practised; but then denies there are any such in the Church. He owns there are some, in which Abuses have crept, which ought to be reformed: But then he affirms, that, according to the Intention of the Church, there is nothing impious in these Practices. II. Those which are in themselves indifferent, and useful for Government: The Article in the Confession admits such. III. The last sort of Rites mentioned in the Confession, is of those Usages

which are in themselves indifferent; but then form Worship, Merit, or Necessity, has been attributed to them. *Cassander* says this third sort ought not to be distinguished from the second; because, if these Usages are useful for the Publick, they ought to be observed, and the false Opinion which Men may entertain of them ought to be corrected. He adds, that the Catholics do not believe that these Practices do of themselves merit Grace or Remission of Sins, or that we ought to place our Confidence in them; but that they use them, that by these Exercises the Flesh may be submitted to the Spirit, that so it may the more easily obey the Law of God: And as to the Necessity attributed to them, several Divines are persuaded, that Humane Laws, which relate not to God or our Neighbour, oblige not under pain of Sin; and that the Intention of those that made these Laws was not that they should oblige upon all Occasions; and that they may be dispensed with when the Cause of the Law ceases.

The sixteenth Article, concerning *Magistrates and Civil Laws*, has no Difficulty. *Cassander* there only observes, That it is in the Power and Duty of Christian Kings and Princes to cause the Laws of the Church to be observed, and to watch over Discipline.

The seventeenth Article, concerning the second coming of Jesus Christ, he passes over, as being susceptible of no Controversy.

The eighteenth is of *Free-will*. *Cassander* makes the whole Controversy consist in knowing what the Free-will of Man can do towards acquiring of Righteousness before God. Hereupon he finds, that *St. Thomas*, and the Generality of Divines, maintain, That Free-will can do nothing towards Righteousness, unless it be moved and driven forward by the Grace of God, to whom we ought not to oppose the particular Sentiments of some Divines, who are not followed. He speaks very wisely of Predestination. 'We ought, says he, to treat of this Question, which has raised so many Quarrels among the Learned, with so much Moderation and Prudence before the People, that it may augment Piety, and stir up rather than extinguish a Passion for doing Good, give Confidence in Grace, and Hope in Glory, and not cast Men into Despair: For this Grace of Predestination is so much recommended in Scripture, and in Ecclesiastical Writers, only that those who have Faith in Jesus Christ, and that practise the good Works which it inspires, may not attribute that Advantage to themselves, but acknowledge that they owe it to God, referring it to the Grace of Predestination, and consequently do not glory in themselves, but in God; to the end that those who are piously inclined may make their Calling and Election sure by good Works, and keep up the Confidence which they have in their Predestination and future Glorification; because these Things are so joined and united together, that we cannot come at the Grace of Justification to eternal Glory, but by the Practice of good Works. For Predestination consists in God's resolving to give the Grace of Justification, and of Perseverance, to those whom he has predestinated to Glory. This Doctrine of Predestination serves also in those who are moved to Repentance and Piety, to teach them, and to give them a Confidence, that these Motions are Signs of their Predestination, and that if they continue in this Disposition, they shall certainly enjoy eternal Life; and so by this means they will be more enflamed to exercise Works of Piety, when they shall know that their Labour will not be in vain, by the Help of God; and that he who has begun this good Work in them, will accomplish it for the Day of Jesus Christ.'

The nineteenth Article, That God is not the Author of Sin, is not disputed.

The twentieth, of good Works, was explained in the sixth.

The twenty first is concerning worshipping of Saints. The Confession of *Augsburg* makes it to consist in the Imitation of their Faith, and their good Works. The Apology allows three sorts of Honours to Saints. I. Thanksgiving immediately to God for the Favours he has shewn to Saints; with a Commendation of those Saints who have been faithful in their Gifts. II. Confirmation of our own Faith. III. Imitation of their Faith and Virtues. *Cassander* adds, That the Honour paid to Saints seems principally to consist in having a Veneration for them, in celebrating their Memory, in praising and honouring them; but in a very different manner from that by which we honour God: He thinks there is no Dispute upon this Head. But then there remain four Questions. I. Concerning invoking them. II. Concerning their Merits and Intercession. III. Concerning the Honour paid to their Relicks. IV. Concerning their Images. As to Invocation and Intercession, the Apology of the *Augsburg* Confession allows, That Angels pray for us; and that Saints pray in Heaven for the whole Church: But it rejects Invocation, because it is not commanded in Scripture. *Cassander* says, That tho' it is not commanded there, yet it is sufficient that it is not there forbidden: That this was a Practice received and approved by the ancient Fathers, who would not have admitted of a Doctrine or a Practice contrary to the Evangelical and Apostolical Doctrine: That it is not contrary to the Office of Mediator, given to Jesus Christ,

Christ, who is still the sole Mediator; tho' the Saints pray for us: That Prayers addressed to the Saints, are carried to God: That good Things are directly asked of God as the Fountain; and that Saints are only desired to pray to God for us: That it is necessary to pray to God, but not to necessary to pray to Saints. *Cassander* also shews, that the Merits of Saints may be admitted without doing any Injury to the Merits of Jesus Christ; and that there is no question but God confers Graces upon Members of the Church, in Consideration of the Merits and Prayers of other Members of the same Body. But then he owns, that the Superstitions, which are but too common, ought carefully to be avoided; such as I. The false Confidence which impious and wicked Men have in the Merits and Intercession of the Saints. II. The Choice which some People make of particular Saints for their Patrons, in whom they have more Confidence than in Jesus Christ. III. The ascribing to Saints a Power of sanctifying and redeeming, and of attributing Titles and Honours to them, which only belong to God. As to the worshipping the Relicks of Saints, *Cassander* observes, that it is very ancient in the Church; that public Meetings were held upon that Account; and that Sacrifices were offered to God in the Places where they were buried. He confesses, that in these last Times Men have fallen into several Excesses concerning the worshipping of Relicks, some in putting too much Confidence in them, and some in imposing false Relicks for true. He observes also, that the Custom of exposing the Bodies of Saints upon Altars, is but of late. Concerning Images, he says, that it is certain that Christians were for some time without Images in Churches; that afterwards they were set up to represent sacred Histories, or holy Persons; but that they did not worship them of a long time; that if they adored the Cross, that Adoration was carried up to Jesus Christ. He acknowledges however, that a convenient Worship may be paid to Images, if we honour them as Signs and Monuments of the Saints, and shew them Respect on the Score of what they signify and represent; provided we abstain from excessive Worship; that we attribute no Virtue or Divinity to them; and consider them as we do Writings and Words that please us, by putting us in mind of absent Things or Persons which we love and honour.

Upon the twenty second Article, of *Communion under both kinds*, he says, that he could wish that ancient Custom were restored. He is positive however, that the Ancients did not believe that there was so great a Connexion between the two Parts of the Sacrament; that one cannot be absolutely separated from the other; and that any one kind is not the true Sacrament. He blames those therefore that say, that this Separation is impious and sacrilegious for any Cause whatsoever. Lastly, he says, that Peace and Unity ought not to be broken upon that Account. Concerning the Adoration of the Eucharist, he says that Jesus Christ, God Man, being in that Sacrament, it ought most certainly to be adored, but so as that the Adoration may not rest in the Sign, but be carried to the Body of Jesus Christ; tho' the Sign being sacred, deserves also to be respected. He does not approve of carrying the holy Sacrament in Procession; and he thinks that that Custom, which has been but newly taken up, ought to be laid down. He commends and confirms the Custom of anointing the Sick with holy Oil. He allows two Effects to that Unction, Forgiveness of Sins, and the Refreshment of the sick Person; and he could wish it might not be deferred to the Point of Death; and that it might be given before the Communion.

The twenty third Article is of *the Celibacy of the Clergy*. *Cassander* declares, that it is not without great Reason that the Fathers of the Church believed, that none but chaste Men, and Observers of Celibacy, ought to be admitted into holy Orders. I. That being holy and pure, they might serve the Church in Purity. II. To hinder that Avarice which the Care of breeding up Children, and maintaining a Family, must occasion. III. That being delivered from the Cares of Marriage, they might administer holy Things with more Attention and Earnestness. Those therefore, says he, who accuse the Church of prohibiting Marriage by this Law, are in the wrong, because it gives all the Faithful a Liberty to marry, if they do not voluntarily undertake such an Employment as requireth Celibacy. Yet he owns, that we must confess that in these last times Men have been to blame when they have made this useful Law on occasion of failing to marry, in ordaining young Men without previous Trials, and in bearing with their Irregularities. To remedy these Disorders, he thinks it would be convenient to restore the ancient Usage, that no Man should be ordained Priest that had not been bred up from his Youth in the Church, passed through all the Degrees of the Ministry, and was thirty Years of Age, and had lived all that time in Chastity. That if that Practice could not be revived, then he thought Men might be left to their Liberty, of admitting married Men into the Priesthood; and of relaxing the Severity of the ancient Law.

The Authors of the Confession of *Augsburg* complain, in the twenty fourth Article, of their being falsely accused of abolishing the Mass. *Cassander* takes notice, that they do in-

deed recite the Words of Jesus Christ true, but then they recite them Historically, and without believing that by these Words the Body of Jesus Christ becomes present; wherein they leave the Custom of the Primitive Church, and, which is horrible, make it appear to be Idolatrous. The *Augsburg* Confession treats the Opinion of the Merit and Application of the Mass as false and impious, and reproves the Doctors who say, that it justifies *ex Opere operato*. *Cassander* explains this Opinion thus; that the consecrated Body and Blood of Jesus Christ have a Virtue of sanctifying, not upon account of the Merit of the consecrating Priest; but by Reason of the Covenant of Jesus Christ who has instituted this Action; so that the Action of the Minister does only apply, and give to those that are disposed to receive it, that Grace which is annexed to the Body and Blood of Jesus Christ which was offered for us. *Cassander* disapproves of that great Multitude of Masses, which are said so negligently only to gain Money: He thinks that Scandal might be remedied if fewer Masses were said, and they were said with more Respect: He thinks it would be sufficient if upon Sundays and Holidays one or two Masses were said for the People; and that they ought to be instructed to hear Mass with greater Piety. That since formerly no Man assisted at Mass that did not communicate, all Men that assist now ought to be in a Condition to offer Sacrifices with the Priest, and to participate in the Divine Sacraments, either by actual receiving, or at least by a religious Desire. He approves of *Cajetan's* Opinion, that it would be convenient that the publick Prayers which are said at Mass were recited rather in the Vulgar Tongue than in Latin, that the People might understand them. He is very large upon the private Masses, in which no Man assists, and where only the Priest communicates: He maintains, that it would be much better if the Mass were celebrated only before the People, and that at every Mass the Eucharist were given to the Assistants. He does not however entirely condemn this Practice, though he wishes the old one were restored. He shews, that the Eucharist is an Oblation and a Sacrifice which consists in the Representation or Commemoration of the Sacrifice of the Cross, the Victim of which is in Heaven, and is also present in the Supper, whereby the Faithful desire of God, that he would be pleased to make the Virtue and Grace of that eternal Victim, salutary and effectual for the Necessities of Soul and Body, both of the Living and the Dead. This is not therefore a Sacrifice different from that upon the Cross, but is the Representation of this Sacrifice continued in Heaven by Jesus Christ the Eternal Priest, which does not procure for us a new Remission of our Sins, but makes that once made upon the Cross effectual to us. Here he explains the Canon of the Mass and justifies it in all its Parts.

Concerning *the Monastick State*, he says, it is not the Institution which has made it odious; but it is the Abuse which has been made of it: That the Rules of the Monks are not a different Evangelical Rule, but a way of living proper to observe the Rule of the Gospel by. That Monastick Practices consist either in Austerities of mortifying the Flesh, or in the Practice of Evangelical Counsels, or in Usages of less Consequence, such as particular Habits or Ways of living, &c. which may contribute to keep up Modesty, Order and Humility. He shews, that Vows are not forbidden; and then deplores the Abuses and Irregularities committed among the Monks; and says, they ought to be corrected, but without destroying the Monastick Order. Formerly Monks were not Clerks; but then some Clerks were willing to live as Monks in common: This was the Original of Canons; these Canons degenerating, Canons Regulars came into their Places. *Cassander* despairs of restoring the ancient Institution of Canons; he only wishes such Remedy might be applied, as the Time could bear.

Upon the Article of *the Power of the Church*, he shews, that it must be granted, that Bishops have a Power of making Ecclesiastical Laws. He owns, that Moderation ought to be observed in Laws, and Abuses ought to be reformed. Lastly, he repeats the Methods that he had set down in the beginning, and in his Tract *De Officio Viri Pii*, of coming at Peace and Re-union.

Cassander confirms what he had said before, of *the Usefulness of restoring Communion under both kinds*, in a Discourse on purpose; where he sets down at length the Reasons and Citations which may be proper to authorize Communion under both kinds: He answers the Inconveniences; which are urged against the Practice at large, and give Reasons why he thinks it proper that it should be revived.

His *Catalogue of the Illustrious Men of the Old Testament*, is an Abridgment which he drew up of some Lives, some singular Actions, and some remarkable Events mention'd in the Old Testament.

Cassander also wrote several *Letters* to the ablest Men of that Time: Of these there is a Collection in the last Edition. These are some which relate to Ecclesiastical Matters.

The Second is written to the Bishop of *Munster*: Therein he declares, that he does not think that in the Eucharist the Fruit of the Death of Jesus Christ is only received, without his Body and Blood; but on the contrary, that he believes, that

the Fruit of the Death of Jesus Christ is only received, because his Body and his Blood are then also received. The third is also upon the same Subject. He there blames the Author of a Paper, which, according to *Bertram's* Notion, distinguished the Body of Jesus Christ received in the Sacrament, from the Body of Jesus Christ born of the Virgin. He is for laying the Distinction, not upon the Thing given, but upon the Manner in which it is given.

In the fifth, he bewails the Divisions of the Church. In the sixth, directed to *Franciscus Balduinus*, he disproves of Bishops imprisoning and condemning to death Persons accused of Heresy.

In the ninth, he describes a Conference which he had with a young Anabaptist of the Sect of the *Mennonites*, who had been condemned to death, and executed, which he disproves.

In the thirteenth and fourteenth, he expresses his Amazement, that his *Notes upon the Hymns* were put into the Catalogue of prohibited Books by the University of *Louvain*; and defends what he had said concerning *St. Catherine*. In these two Letters, and in the next he speaks of the *Mozarabic Missal*, which he sent for to *John Du Moulin*.

He sets forth, in the sixteenth, some ways of reforming the Church. The *Publick* ones he reduces to three Heads: First, the taking away of Scandals and Abuses, being conformable to the ancient Canons; taking care, that those that are promoted to any Dignity give Examples of the Piety and Innocence which they teach; and that all the Faithful may embrace and practise Charity. Secondly, that in the Ceremonies of the Church, such a Christian Moderation may be observed, as the ancient Fathers, and even some Schoolmen, have prescribed. Thirdly, that great Prudence and Reservedness be used in Disputations: That Men abstain from useless Questions, and that nothing be taught but what is proper to augment Piety and Charity. and to procure Mortification of the Flesh and a new Life: That Men found their Doctrines upon the Holy Scriptures, explained according to the Sense put upon them by the Catholick Church: That when Men refute Errors solidly and strongly, they should treat Persons charitably. *Private* ones may be reduced to two Heads: First, wholesome Admonitions performed with Charity and Moderation. Secondly, such Punishments of Hereticks as may hinder them from corrupting others, and yet give them time to repent.

In the eighteenth, he treats of the Distinction of the Sacerdotal Habits.

He defends himself, in the nineteenth, concerning the Articles which the *Louvain* Divines had blamed and censured in his *Notes upon the Hymns*. The first is about Images. The second is about his saying, that the Communion of the Blood of Jesus Christ was formerly called Confirmation; and what he had said in favour of Communion under both kinds. The third is about his manner of explaining the Words used in the Invocation of Saints, *Ora pro nobis. i. e. Would to God that the Saints might pray for us*. And lastly, about what he had said of Merits, that they are not the Causes of Eternal Life, but the Signs, the Occasions, the Ways.

The twentieth is an Answer to *Cox* Bishop of *Elv*, who had consulted him about the Image of the Crucifix. He answers, that all Men know how much the Primitive Christians respected the Sign of the Cross, which they painted, and placed in Prophane and Sacred Places, before the Use of other Images was introduced. He concludes, that this Custom being very old, ought not to be accused of Superstition. What he could wish for, is only this: First, that Crosses were made like that on which Jesus Christ was fastened, with a Board on the Middle, on which his Feet were placed, as *St. Irenaeus* and *St. Gregory of Tours* represented it; Secondly, that some Passages in the New Testament were written round the Crosses; in which the Mysteries of the Cross are mentioned, and which might explain their Signification.

He treats also of the Question concerning the Meriting of Saints in the thirty fourth.

In the thirty seventh, he draws a lively Description of the State of Religion at that Time in *France*, divided into three Parties; the first, of *Zealous Catholics*, at the Head of whom he places the Cardinal of *Tournon*; next, the *Hugonots* headed by the Prince of *Condé*; next, the *Reconcilers*, headed ac-

cording to him by the King of *Navarre* and the Queen, among whom he reckons the Bishop of *Valence*, Chancellor of the *Hôpital*, *Paul Fox*, Doctors *Espenceus* and *Salignac*, and also the Cardinal of *Lorraine*. He observes, there were in *France* three Principal Controversies; of the Form of publick Prayer; of the Rites of Baptism; and of the Mass.

In the following Letters he speaks of the Colloquy of *Poissey*; of his Book, *De Officio Viri Pii*, and of *Calvin's* Quarrel with *Balduinus* about it.

In the forty first, he commends a Regulation that was made at *Bruges* by the Magistrates for the Maintenance of their Poor.

In the fifty first, he describes the Spirit and Character of the Anabaptists.

In the sixty second, he explains himself about the Form of the Eucharist. He says, the ancient *Latin* and *Greek* Churches believed, that Invocation and Prayer ought to be joined to the Words of Jesus Christ for Consecration, though the later *Latin* Authors and the Schoolmen make the Form of the Eucharist to consist in the sole Words of Jesus Christ.

In the one hundred and sixth, he answers what *Dr. Hesselius* had written against his Book, and there declares, that he never pretended to take a third Party between the Catholick Church and the Protestants; and that he is persuaded, that there is not any Salvation out of the Catholick Church, which is founded upon a Rock which the Gates of Hell can never overthrow, though they have attacked it, and done it a Mischief.

In the one hundred and eleventh Letter, he produces a Papal Breve to the Ecclesiastical Electors of *Germany*, in which he gives them Permission to make choice of Priests to whom they might give a Power to administer the Communion under both kinds in their Dioceses.

In the one hundred and thirteenth, he sends *Pamelius* a Catalogue of Authors and Books, which treat concerning the Rites of the Church.

Last of all *Cassander* shews in several of his Letters an ardent Desire to procure the Peace of the Church and the Re-union of Protestants; in several others he defends himself against what had been written against his Books; in others he bewails the Calamity of the Times: He complains, that both Catholics and Protestants declare against him, because he does not carry things to Extremities: He justifies himself from several Reproaches thrown upon him, and often speaks of his being afflicted with the Gout, with which he was continually tormented.

After these Letters come two Conferences which *Cassander* had with two Anabaptists; one of whom seemed persuaded with his Reasons; the other continued obstinate in his Error.

Cassander's other Pieces are wholly prophane. They are these; *Elogies of illustrious Italians and Romans*; *A Panegyric upon the City of Bruges*; *Tables containing Rules and Precepts of Rhetorick and Logick*. *Valerius Andreas* makes mention likewise of *A Treatise concerning the Art of Preaching*; *Of the Reduction of Greek and Roman Money to that of Flanders*; with *A Collection of Common Places out of the Comedies of Plautus*: Printed by themselves.

George Cassander understood *Greek*, spake *Latin* purely and nobly; he was solidly learned, and had thoroughly studied Ecclesiastical Antiquity and the Controversies of his own Times. The flaming Zeal which he had for the Re-union and the Peace of the Church, made him yield too much to the Protestants, and led him to advance some Propositions that were too bold. But he always kept in the Communion of the Catholick Church; he declared, that he submitted to its Judgment, and openly condemned the Authors of the Schism and their principal Errors. He was a gentle, humble and moderate Man, patient under Afflictions, and entirely disinterested. In all his Disputes he never shew'd any Sharpness or Animosity: He never returned Injury for Injury; and neither in his Manners nor in his Writings was there ever observed any Footsteps of Presumption or Arrogance. He avoided Glory, Honour or Wealth, and lived privately and retir'dly, having no other Thought nor Wish but to procure the Peace of the Church; no Employment but his Study; no Business but to compose Books which might be profitable to the Publick; and no Passion but that of Knowing and Teaching the Truth.

JOHANNES HESSELIUS.

John Hesselius of *Louvain*, born in 1522. was, after he had gone through his Philosophical and Theological Studies in the College of *Arras* in *Louvain*, called to the Abby of *Paris* of the Order of the *Premontreutes*, near that City, to read Lectures of Divinity to the Monks of that Abby. Having acquitted himself with Honour of that Employment for eight whole Years, he took his Doctor of Divinity's Degree, and was chosen to be Principal of a small Theological College that was newly erected in *Louvain*. *Martin Rithovius*, then *Regius-Professor in Divinity*, being made Bishop of *Ypres*, *Hesselius* was made his Successor, and filled that Post with great Reputation. In 1563. he was sent, with *Michael Bins* and *Cornelius Jan-*

senius, afterwards Bishop of *Gaunt*, to the Council of *Trent*. When the Council was over he returned to *Louvain*, where he continued to oppose the Hereticks, both *vivâ voce* and in *Writings*. At last, being worn out with continual Labours, oppress'd with Sickness, and seized with an Apoplexy, he gave up his Soul to God, November 7. 1566. being 44 Years old.

The most considerable of *Hesselius's* Works is his large Catechism, which is not only a bare short Exposition of Catholick Dogmes, but a Dogmatical and Moral Body of Divinity. It is divided into four Books. I. Upon the Apostles Creed. II. Containing an Exposition of the Lord's Prayer, and the *Ave-Maria*. III. Upon the Decalogue. IV. Upon the Sacraments. This last is not finished, and treats only of the Sacraments

ments of Baptism, Confirmation, and the Eucharist. There is Reason to lament that our Author's Death hindered him from making an End of this Work, which might have been of wonderful use for Priests who have not very much Erudition, to have served as Models of such Instructions to them as they are obliged to make to the People whom they guide. There is scarce any thing of the Author's in this Work; he uses the very Words of Councils and Holy Fathers, particularly of St. Augustine, to explain the Christian Doctrine; and for that purpose he chose out the noblest and the clearest Passages, which he so well understood to join them together, that when one reads the Text, it seems to be the same Author that speaks, though the Margin tells the Authors and the Books from whence they are taken. He is larger in the first Book, upon the Articles of the Church and the Communion of Saints, than upon the other Articles of the Creed. When he explains the Lord's Prayer, he says excellent things concerning Prayer; and in his Explication of the Ave-Maria, he gives the blessed Virgin the Praises she deserves. In this place we may learn how to commend the Virgin Mary as we ought. The Explication of the Decalogue is preceded by a Treatise of Laws. What he says upon the Decalogue is a good Sum of Morality. Lastly, in what he says upon the three first Sacraments, he teaches the principal Things concerning which the Faithful ought to be instructed. In this Work he meddles not with Subtile and Scholastical Questions; nor does he handle Questions throughly as has been done since: He contents himself only with proposing things proper to instruct and edify the Faithful. This Work, part whereof had been published before, was printed entire at Louvain in 1571. and has been printed several times since in several places.

Hessels wrote besides several Polemical Tracts, namely, *Proofs of a Corporal Presence of the Body and Blood of Jesus Christ in the Eucharist, with an Explication of Passages objected by Hereticks*: Printed at Louvain in 1564.

A Treatise of Invocation of Saints, against John Monheims and his Adversary Artopaus, in which he produces the Tradition concerning the Invocation and Intercession of Saints; and in the Preface explains some general Difficulties concerning Prayer. There he shews, that God grants to Prayer, what he would not grant if Men did not pray to him; that a Man that prays is not absolutely certain that his Prayer is heard; and that all that pray in an unknown Tongue are not Hypocrites: Printed at Louvain in 1564.

A Refutation of the new Faith called Special, against Monhemius; in which he proves, that the Faith by which every particular Man certainly believes that his Sins are forgiven him by Jesus Christ, does not justify, because that Faith may be found in Hereticks; that besides, this Persuasion is capable of removing wholesome Fear; that it attributes to Man what belongs only to God, by making him the Infallible Judge of the Bottom of Mens Hearts; that it is not reconcilable with the Effects of Prayer, Baptism, the Eucharist, Penance, and the Keys of the Church; and overturns the Word of God: This Treatise was printed at Louvain in 1565 and 1568.

Hessels's Discourse of the perpetual Firmness of the Chair of St. Peter, and of its Indefeasibility was printed with the former. He owns there, that some Popes have erred as to their particular Faith, either in the Answers which they have given as private Men, or in pronouncing upon Things which had been deceived already. But he maintains they have never been deceived when they made a solemn Decision with the Advice of Bishops and Cardinals, concerning a Question newly raised upon a Point of Faith, which they have proposed to the whole Church as a Doctrine which ought necessarily to be believed. He observes, that the Holy See does not lightly nor easily condemn a Man for Heresy. He shews by the By, that Kings cannot be Heads of the Church, nor Masters of Religion.

The Treatise of the Sacrifice of the Eucharist, in which he proves, that the Oblation of the Eucharist is a propitiatory Sacrifice, and refutes a German Confession of Faith, was printed at Louvain in 1567.

One may also rank among Hessels's Polemical Tracts, that which he wrote against Cassander's *De Officio Viri Pii* &

vere Pacis amantis, under the same Title: Printed at Louvain in 1565. He there reproves Cassander for giving private Men a Liberty to judge of Doctrine, to continue in a Communion different from that of the Church of Rome; and to believe, that Piety and true Religion may be in several Communions. He affirms, that the Knowledge of the true Church is not less necessary for Salvation, than that of a Creator and Redeemer; and that whosoever condemns the Church cannot be saved. He owns nevertheless, that a Turk who should believe in God and Jesus Christ, though he should be in an Error, yet if it is without Obstinacy, may be saved. He accuses Cassander for desiring to introduce a third sort of Christians, who approve neither of Catholics nor Hereticks: He rejects these Mediators, and compares them to those who gave Hereticks and Gentiles hopes of Salvation. He reproves also the Opinion of Cassander concerning the Salvation of Children who die unbaptized, whom their Parents intended to have baptized.

This is not the only Tract which Hessels wrote against Cassander; he also fell upon his Discourse concerning Communion under both kinds, and maintains against him, in a Book printed in 1573. That Communion under the sole Species of Bread, is effectual, and confers as much Grace, as that administered under both.

He defended also the Usage of the Church in performing its publick Offices in Latin, which the People do not understand. This Tract was printed in 1567.

We ought not to forget the *Censure of some Histories of Saints*, written by Hessels, which Motanus printed with his Martyrology at Louvain in 1568. and which was afterwards annexed to the last Edition of Hessels's Catechism. By those small Notes he shew'd himself a Critick as well as a Divine.

To these Works we may add *A Commentary upon the Passion of our Lord*, printed at Louvain in 1568. and *A Letter about the Conception of the blessed Virgin*, published by Schunzius in his second Tome of his *Bibliotheca Ecclesiastica*.

Lastly, John Hessels wrote Commentaries upon St. Matthew's Gospel, printed at Louvain in 1572. upon the first Epistle to Timothy; upon the first general Epistle of St. Peter, *ibid.* in 1568. upon the general Epistles of St. John, at Douay in 1599. and at Antwerp in 1601. These are all the printed Works of this Author, who was certainly one of the greatest Ornaments of the University of Louvain; not so much for his Eloquence, his Knowledge in the Tongues, and his deep Erudition, as for his solid Judgment, his wise Discernment, his Love for the Church and for Truth, his Constancy in Labour, and the Use which Men have made and may still make of his Works.

We have observed already, that this Man ought not to be confounded with the other John Hessels, a Doctor also, and Professor in Louvain, who was sent before this Man to the Council of Trent, in which City he died January 5. 1551. Some ascribe to this last the Commentaries upon Isaiah and St. Paul, which are printed under the Name of Adam Sasbouth. Nothing is printed under his Name but a Dissertation concerning Neclarius's Abrogation of Confession: He presented that Tract to the Council of Trent, and it was printed after his Death at Antwerp in 1564. It is in the Preface to that Edition, that it is said, that the Commentaries which are printed in Sasbouth's Name, were Hessels's and not Sasbouth's; because Sasbouth's only dictated to his Society the Explications of Hessels's, which he had heard, and which he so perfectly remember'd, that he used the very same Words, as, says the Author of that Preface, those have found who have compared those Commentaries with Hessels's Writings.

It appears by his *Dissertation upon the History of Neclarius*, that he very well understood the ancient Discipline of the Church. He unravels the Notions of the Novatians perfectly well, with the Custom of the ancient Church concerning Penance, and the History of the Abolition of the Penitentiary's Office by Neclarius. He produces the Words of Socrates and Sozomen, and explains them. He solves them by saying, that Neclarius did not take away Confession, but only that Custom, which was crept in, of having but one Priest appointed to hear Confessions. He wrote purely and politely.

BARTHOLOMÆUS DE LAS CASAS.

Bartholomew de las Casas.

Bartholomew de las Casas, Bishop of Chiapa in North-America, was of Seville, where he was born in 1474. his Family was considerable in that City. At nineteen Years of Age he followed Antonio de las Casas his Father into the Indies, whither he went in 1493. with Christopher Columbus. At his return into Spain in 1498. he continued his Studies which that Voyage had interrupted, and made great Progresses, not only in Divinity, but also in the Civil and Canon Laws. Then he went into the Church, and returned into America, where he staid in Hispaniola; and being ordained Priest, was oblig'd to accept of the Cure of Zaguarama, in the Isle of Cuba, which he quickly quitted, V O L. III.

that he might labour after the Liberty of the Indians whom the Spaniards treated in a most cruel Manner. He made for that purpose a Voyage into Spain, and laid the Cruelties that were exercised upon the Indians before the Emperor Charles V. letting him know, that that Barbarity was as prejudicial to his State, as it was contrary to Religion. He was sent back into the Indies with Orders to inform himself of the Conduct of the Governors, and to give an Account to the Council of Spain; but all his Care proved successless. Then it was that he took the Dominican Habit, and afterwards procured several Establishments for his Order in Peru. Being returned into Spain, he acted with so much Zeal, and made such lively

and moving Remonstrances to Charles V. that that Prince called a Meeting of Prelates and of learned and pious Men of the Ecclesiastical at Valladolid; where Regulations were drawn up to remedy the Disorders committed in the Indies, which he confirmed by his Edict given at Barcelona in December 1542. These Regulations were published in the Indies, but were never executed; and the Spanish Governors, or rather the Tyrants of that Country, went on still exercising their Rapines and Violences.

Bartholomew de las Casas, then nominated to the Bishoprick of Chiapa, continued still to inform the Court. There was at that time one Doctor Sepulveda, who, gained by some Spaniards that had tyrannized in the Indies, wrote a very elegant Book in Latin, by way of Dialogue in which he undertook to prove, that the Spaniards Wars in the Indies were very just, and founded upon a Right which they had to subdue the People of that new World: That the Indians were obliged to submit themselves to the Spaniards to be governed by them, because they were less Wise and less Prudent; and that if they would not voluntarily submit to their Domination, they might be constrained by force of Arms. That Doctor, to add greater weight to his Argument, declared, that his whole Aim was to settle the Right which the Kings of Castile and Leon had to seize upon their Fee [Domaine] of the Indies. He presented his Book to the Royal-Council, and demanded with great earnestness Leave to print it. The Council having several times refused it, he had Recourse to some of his Friends that were in the Emperors Court. The Bishop of Chiapa, who was returned from America in 1551. being well informed of the Steps of Sepulveda, and being persuaded that his Book tended to authorize all the Cruelties exercised in the Indies, opposed its being printed; and represented the ill Consequences which its Publication might have. The Members of the Council-Royal seeing that this matter was purely Theological, remitted the Examination of Sepulveda's Book to the Universities of Alcalá and Salamanca. Those two Universities declared, that it ought not to be printed, and that its Doctrine was not Sound. Sepulveda sent his Book to Rome, and had it printed there. The Emperor having notice of it, sent express Orders to forbid it, and caused the Copies to be seized. But since they could not hinder the spreading several Copies in Spanish among the People, the Bishop of Chiapa thought himself obliged to answer it in Defence of the Indians.

The Emperor being desirous to put an end to this Dispute, order'd Sepulveda and the Bishop of Chiapa, to be cited, to give their Reasons before the Royal-Council of the Indies, and sent Dominico Soto to be a sort of Arbitrator between the two contending Parties, who spake several Days together before the Council. The Bishop of Chiapa alone took up five Audiences; after which Soto made a summary Report of the Reasons of both Sides, much more favourable to the Bishop of Chiapa than to Doctor Sepulveda. The Council ordered the Bishop to put all his Reasons in Writing, and to send a Memorial of them to the Emperor: He did so, but the Business continued still undecided. De las Casas seeing then no hope of succeeding in his Design of easing the Indians, surrendered his Bishoprick into the Pope's Hands; and died some Years after at Madrid, in the Year 1566. being 92 Years old.

This Bishop drew up several Memorials in Defence of the Indians, and against the Cruelties which the Spaniards exercised against those poor People; some of which were collected and printed in Spanish at Seville in 1552. Intituled, *A short Narrative of the Destruction of the Indies, collected by Bishop Dom. F. Bartholomew de las Casas, of the Order of St. Dominick*. This Collection was translated into French by James de Migrode, and printed in 1582. It was published in Latin at Frankfurt in 1598. and in Italian, translated by James Castellani, at Venice in 1643. There have been lately made a new French Translation, printed at Paris in 1697. [and at Amsterdam in 1698.]

This Collection contains, first, *A Relation of the Cruelties and Tyrannies exercised by the Spaniards in the Kingdoms and Provinces of the Indies*. The Author does not content himself with writing of them in general, but enters into the Detail of what they did in every Province. One sees there that these first Conquerors of that Country were Men without Faith, without Law, without Mercy, without Religion, who minded only the satisfying their insatiable Avarice: That no Violence, no Rapine, no Inhumanity was left unpractised: That when they were glutted with the Blood of those poor Indians, they destroy'd some by the Sword, others by Fire; that they massacred infinite numbers; that they tore many to pieces by Dogs, and put others to death by Punishments, (the very Recital of which strikes Horror) without sparing Women or Children: That they reduced them all to a cruel Slavery: That they entirely dispeopled the Country, wasted and ruined numbers of rich and mighty Kingdoms; And in short, were more Inhumane and more Barbarous towards these People, than if they had been the wildest of Beasts.

The second Piece in this Collection is a Letter upon the same Subject; to which is annex'd, a Memorial addressed to the Emperor by Bartholomew de las Casas; in which he represents the Injustices, Vexations and Cruelties, committed upon the Indians by the Spanish Governors of those Countries; and

shews, that that usage is contrary to the true Interests of the State, to Justice and Religion; and to the Memorial joins these thirty Propositions which follow.

I. The Pope of Rome, Canonically elected to be the Vicar of Jesus Christ, and St. Peter's Successor, has received his Authority and Power from Jesus Christ himself, and this Power extends to all Men, Faithful or Infidel, in things relating to Salvation, and the Ways of eternal Life: But we ought to observe, that this Power ought to be differently exerted upon Infidels, who never entered into the Church by Baptism, and who never have yet heard speak of Jesus Christ and the Catholick Faith, than upon those who are now Believers, or have been so formerly.

II. St. Peter and his Successors have contracted an indispensable Obligation, founded upon a Divine Precept, to procure the Publication of the Gospel, and the Propagation of the Christian Faith throughout all the World, that all Infidels may be brought to the Knowledge of the true God, when there shall be any hope of their not opposing the Promulgation of the Faith and the Doctrine of the Gospel.

III. The Pope can and ought, by the Authority of his Apostolical Ministry, to send able Ministers out of all the States of Christendom, to preach the Doctrine of Jesus Christ over all the World: He can also, by Virtue of his Power, oblige them to accept of this Mission and Employment: And they also are reciprocally obliged to accept it, and to obey the chief Pontiff, as they would obey Jesus Christ.

IV. Among all the Ministers who are chosen to publish the Catholick Faith, and to convert Infidels, Christian Kings can contribute more towards it than any other Men; because their Power, their Strength and their Temporal Riches, are great Helps to preserve and defend the Ministers of the Church, and to furnish them with Means of attaining the End which they propose to themselves.

V. The chief Pontiff, by the Authority which Jesus Christ has given him upon Earth, ought to exhort Christian Princes to contribute their utmost to remove the Obstacles which may hinder the Publication of the Christian Faith; and to employ their Money in sending their Subjects who are capable of instructing Infidels. The Pope can also in some measure oblige Christians to contribute, according to their Abilities, towards the Expences which are necessary for the Support of the Missionaries, according to the Necessity which they have in the carrying on so pious a Work.

VI. Neither Kings nor Princes ought to thrust themselves into this Ministry without the Participation of the Holy See, and the Vicar of Jesus Christ: And if any King shall think himself obliged, for the good of his Kingdom, to send Gospel Labourers to instruct Infidels, he ought to consult the Pope, who will use such Means as he shall think most proper.

VII. To avoid Confusion, the Vicar of Jesus Christ may distribute among Christian Princes the Kingdoms and Provinces of Infidels, of what Sect soever they may be; recommending to them Zeal for the Augmentation of Faith, and an ardent Application to the Enlargement of the Catholick Church and of the Christian Religion, to the Conversion and Salvation of Souls, as the only End they ought to propose to themselves.

VIII. In making this Division the Pope ought not to have the Advancement of the Honours, Titles, Riches and States, of these Princes at all in view; he ought to think of nothing but the Conversion of Infidels, since that is the only Intention of Jesus Christ: In trusting to them the Care of getting Souls instructed, he lays a painful and dangerous Burthen upon them, for which they shall be obliged to render a very severe Account at the Judgment Seat of God. This Employment relates more to the Profit of Infidels, than to the particular Interest of Christian Princes.

IX. Christian Princes ought strictly to have nothing else in view but the Service of God, and the Advancement of the Catholick Church, when they apply their Care to the Propagation of the Christian Faith; they ought to propose no temporal Advantages to themselves; because all earthly Things are transitory, and little worth. However it would not be just for them, if they can do any thing to the Advantage of their own States by procuring the Advancement of the Kingdom of Jesus Christ, to neglect so favourable an Opportunity, provided it be without doing any notable Prejudice to the Infidels and the Princes that govern them.

X. Infidels that live in Countries far distant from Europe, and who have never heard speak of Jesus Christ and of the Christian Religion, have their lawful Kings and particular Princes, who are of natural Right the Lords of the Countries

Of the Ecclesiastical Writers of the latter Part of the Sixteenth Century. Bartholomew de las Casas.

tries where they command: They have Right to make Laws there, and settle every thing that is necessary for the well governing of their States: They cannot be driven out, nor deprived of the Goods which they possess, without hurting the Law of Nations, and the Law of God.

XI. The Opinion contradictory to the Principle now laid down, is pernicious and erroneous; and those that shall obstinately defend it, will expose themselves to the Crime of Herefy: It opens the Gate to all manner of Iniquities and Impieties, Robberies, Plunderings, Violences, Tyrannies, and irreparable Mischiefs and very grievous Sins, which dishonour the Name of Jesus Christ, hinder the Progress of the Catholick Faith, and might plunge Mankind in infinite Misfortunes, with the unavoidable Ruine of Souls redeemed by the Blood of Jesus Christ. In a Word, it would be a means to stifle all Sense of Picty, Humility, Evangelical Gentleness, and all Christian Virtues; to introduce in their Places, Cruelty, Perfidiousness, Revenge, and all those Vices which are directly contrary to the Maxims of the Gospel.

XII. Unbelieving Princes ought not to be despoiled of their States for the Crime of Idolatry, not for any other Sins, be they never so grievous; nor can their Subjects be at all deprived of their Goods and Dignities for the same Crimes.

XIII. We have no Right to punish Idolaters for the Sin of Idolatry, nor for any other Sins which they have committed, be they never so heinous and enormous, during the time of their Infidelity, and before they have voluntarily been baptized: There is no Tribunal, nor Judge in the World, who has a Right to disturb them upon that Account, unless they directly oppose the Publication of the Gospel, and after they have been admonish'd for it, they obstinately hinder it out of pure Malice.

XIV. Pope Alexander VI. under whose Pontificate the *West-Indies* were discover'd, was indispensably obliged, and under pain of contravening the Divine Command, to chuse a Christian King; to whom he might commit the Charge of providing that the Gospel should be preached in that new World, and the Universal Church, the Catholick Faith, and the Worship of God advanced, and taking Care of the Conversion and Salvation of the People that inhabit this new World, and of all things necessary to attain that End.

XV. King Ferdinand and Queen Isabella his Wife had particular Privileges, preferably to all other Catholick Princes, to engage the Vicar of Jesus Christ to chuse them, rather than the other Princes of Europe, to trust them with the Care of causing the Catholick Faith to be published in the *Indies*: And without any other Motive he might, by the Authority which God had given him, invest them with that Dignity, and constitute them Ministers of the Apostles in the *Indies*. Among other Privileges which are particular to them, their principal Title is, That they had been at infinite Pains to draw Kingdoms, which they inherited from their Ancestors, from the Hands of Infidels and Mahometans, Enemies of the Catholick Faith: For that intent they exposed their Royal Persons and their own Blood, when they endeavoured to re-enter the Kingdom of *Granada*, which lawfully belonged to them; which at last they happily reduced under the Yoke of Jesus Christ and the Catholick Church. Besides, they sent out the illustrious *Christopher Columbus* at their own proper Expences, whom they honour'd with the Title of first Admiral of the *Indies*, when he had discover'd those vast and rich Regions.

XVI. The Vicar of Jesus Christ might chuse them as very proper to establish Christianity in the new World, in the same manner as the Pope accepted the Emperor to be his Son, that he might be the Defender of the Catholick Faith; but if this Choice should in time become prejudicial to the Establishment of the Faith, the Pope might without doubt revoke it, by the Authority which God has given him. By the same Principle the Pope may, under Pain of Excommunication, forbid other Christian Princes to send Missionaries into the *Indies*, without acquainting the holy See; and those that shall contravene this Prohibition will offend God very grievously.

XVII. The Kings of *Castile* and *Leon* are lawful Princes over several Lords and Kings of the new World; to them belongs the universal Jurisdiction over the *Indies*.

XVIII. The Sovereign Empire which the Kings of *Spain* have over the *Indies*, obliges the Natural Kings of those subject Nations to submit themselves to the Jurisdiction of the King of *Spain*.

XIX. All the Kings, Natural Lords, Cities, Communities, and People of the *Indies*, over whom the Kings of *Castile* have lawfully acquired Rights, ought to acknowledge them as their lawful Lords in the manner aforesaid, after they have freely and of their own Wills embraced the Catholick Faith and Baptism; but before they received it, and before

they submitted to Christianity, and before the Kings of *Castile* had acquired any thing over them, they depended upon no Tribunal, nor Jurisdiction of any Judge whatsoever.

XX. The Kings of *Castile*, are obliged, *Jure Divino*, to chuse and send into the *Indies* Ministers that are capable to preach the Gospel and the Catholick Faith, and to exhort all the People of the new World to embrace the Faith of Jesus Christ, and to seek after all just and necessary Means towards the attaining of that End.

XXI. The Kings of *Castile* have the same Power, and the same Jurisdiction over these Infidels, even before their Conversion, which the Pope had over them as Vicar of Jesus Christ; because they are charged with the Care of carrying to them the Light of the Gospel, and of sparing nothing towards the Conversion of these Idolaters.

XXII. The way of establishing the Faith in the *Indies* ought to be conformable to that which Jesus Christ took to introduce his Religion into the World; (i. e.) it ought to be gentle, peaceable, and full of Love: Humility, and the good Examples of a holy and regular Life, ought to be used to invite Infidels. especially the *Indians*, who are naturally gentle and easie, to submit to the Yoke of Jesus Christ: They ought to be also engaged by Presents, letting them partake of our good Things with Cheerfulness, without concerning our selves after their Riches. Hereby they will easily persuade themselves that the God whom the Christians worship, is good, just and merciful; they will more easily submit to his Doctrine, and they will forsake the Worship of their false Divinities without trouble.

XXIII. To desire to subdue the *Indians* at first by force of Arms, is a way directly contrary the Law of God, which is full of Gentleness, Meekness and Charity. On the other side, the other Method is that which *Mahomet* followed, and which the *Romans* took before him, to waste and subdue the whole World. The Turks and Moors observe that Method to this very Day; but it is unjust, tyrannical, infamous, unworthy of Christians; and would cause infinite Blasphemies against the Name of Jesus Christ and the Christian Religion, as we have seen by Experience, when the *Spaniards* did so much torment the *Indians*: They believe that the God whom we adore is the most unjust, the most merciless, and the most cruel of all Divinities; and consequently, the way of Arms and Rigour would be an invincible Obstacle to their Conversion.

XXIV. The Infidels will always oppose those who will enter into their Country by Right of Conquest; so that to go about to subdue them, as a proper Means to convert them is to lose time, and to ruin so holy an Enterprize.

XXV. Ever since *Christopher Columbus* discovered the *Indies*, the Kings of *Castile* have always expressly forbidden their Subjects to make War upon the *Indians*. The *Spaniards* could never shew any Power, or Permission given them by their King, to commit any Hostilities in the new World: If they shew any such Powers, they are falsified, or have been surreptitiously obtained, upon false and forged Informations, that so they might run away with the Riches of the *Indians* unpunished, or else make them Slaves. The Kings of *Spain* have often renewed their Ordinances upon that Matter, to put a stop to the Cruelties and Violences which might have been committed towards the *Indians*.

XXVI. Since they have never built upon the Authority of the Prince, nor upon any lawful Cause of making War upon the *Indians*, who lived peaceably upon their own Lands, and never did any harm to the *Spaniards*; all the Conquests which they have made, or shall hereafter make in the *Indies*, are null, unjust, tyrannical, condemned by all Laws, and by Divine and Humane Right. To prove this Proposition, we need only shew the Processes made against them, still to be seen in the Archives of the Council Royal; or those which may be farther made at every turn, since Heaven and Earth cry out against the Violences which they have committed against the *Indians*,

XXVII. The Kings of *Castile* are obliged by the Laws of God to establish such good Government in the *Indies*, as may enforce the Observation of the Laws and good Customs of the *Indians*, and abolish their ill ones, which are not very numerous; that so nothing may be suffered against good Manners and good Polity. The best way to effect this, is to publish the Gospel; that is the way to preserve the Interests of the King and the *Indians* all at once.

XXVIII. The Devil cannot invent any thing more pernicious to the Destruction of this new World, and to the Desolation of the Nations which dwell in it, and the dispeopling of such beautiful Kingdoms in a little time, now filled with great Numbers of Inhabitants, than the Divi-

on which the Spaniards have made of those Nations, which they have claimed to themselves, and have treated as hungry Wolves do the Sheep. This Distribution is the cruellest sort of Tyranny that could ever have been invented: 'Tis this which hinders all these Nations from receiving the Christian Faith and Religion; because the Spaniards employ them Night and Day in the Mines, and in all manner of Labour: They force them to carry very heavy Burdens forty or fifty Leagues together; so that their Condition is worse than that of Beasts. The Spaniards also raise new Persecutions against those Indians who go to the Religious Men to receive the Lights of the Gospel, because they are afraid of having Witnesses of their Violences, Cruelties and Robberies.

XXIX. The Division which the Spaniards make of the Indians among themselves, as if they were Beasts, was never commanded nor allowed by the Kings of Castile, since the Spaniards went into the Indies: They were far from allowing a Government so unjust, tyrannical and destructive of the People of this new World.

XXX. From all that I have said we may conclude, that if the Sovereign Demeasns of the Indies belongs only to the Kings of Castile, the Conquests which particular Men make for themselves are unjust and tyrannical; the Partitions which they have made between themselves are founded upon no lawful Right; and those who usurp the Lands of the new World, without the Consent and Authority of the Prince, are real Tyrants, since they act directly against his Orders, and against the Regulations of his Council Royal, which are notoriously known, so that no Man in the Indies can pretend Cause of Ignorance.

The fourth Piece which is in the Collection we speak of, is the Report which *Dominico Soto* made to the Council of Spain, of the Disputation and Reasons of Doctor *Sepulveda* and the Bishop of *Chiapa*. This Report contains a faithful Abridgment of their Reasons; and therefore I thought myself obliged to set it down at length.

'Most Illustrious, Magnificent, and Reverend Lords and Fathers, you have commanded me to set down succinctly the Summary of the Dispute between the famous Doctor *Sepulveda* and the Bishop of *Chiapa*, without adding any thing of my own: or concerning myself to find out Reasons to confirm their Opinions. The Point which you would be satisfied with in general, is, to consider what Methods ought to be taken to preach the Catholick Faith in the new World, which has been lately discovered by God's Permission; and to examine how the Emperor may subdue those Nations without hurting his Conscience, by conforming himself entirely to Pope *Alexander's* Bull. We ought to examine, Whether the Emperor can justly make War upon the Indians before he preaches the Faith of the Gospel to them? and whether those People will be in a better Condition to receive the Light of the Gospel after they have been subdued by Force of Arms? Whether they will be more tractable and teachable, and better disposed to receive the Impressions the Spaniards would give them, and reject their own Errors to embrace the Gospel Truths? Doctor *Sepulveda* maintains, That this War is not only allowable and lawful, but also necessary. The Bishop of *Chiapa* is of a contrary Opinion: He pretends that this War is unjust, and an invincible Obstacle to the Propagation of the Faith in the Indies.

Sepulveda builds his Opinion upon four principal Reasons: The first is founded upon the enormous Crimes which the Indians have committed, and do commit still every Day, especially their Idolatry, and several unnatural Actions: The second is taken from the Barbarity and Stupidity of the Indians, who might be civiliz'd under the Government of so polite a People as the Spaniards: The third relates to the Faith, which might be more easily published to the Indians when once they were subdued: The fourth is taken from the cruel Usage which the Indians give to one another, by massacring each other, in order to sacrifice to their false Divinities. He confirms his first Reason three ways: First, by Examples and Authorities taken from Scripture: Secondly, by Sutrages of Doctors and Canonists: Thirdly, by an Enumeration of the enormous Crimes which the Indians commit. He cites a Passage out of *Deuteronomy* (*Deut. xx. 10.---13.*) to explain how they ought to make War against the Indians. The Words of Scripture are these, When you present your selves to attack a Place, you shall at first offer Peace to the Inhabitants; and if they accept it, and open to you the Gates of the Town, you shall do them no Harm, but receive them as your Tributaries. But if they take up Arms to defend themselves, you shall put all the Soldiers to the Edge of the Sword, without sparing Wo-

men or Children. (a) This Doctor adds, That that Passage ought not to be taken literally; nor ought the Indians to be treated with such Rigour, tho' the Scripture says in another place, Thou shalt do the same to all the Towns which are very far from you. The Gloss understands this Passage of different Religions: Whence he concludes, That we may lawfully declare War against Nations that profess a Religion different from our own.

To this the Lord Bishop answers, That God did not command the Israelites to make War upon the Infidels and the Gentiles, in order to punish them for their Idolatry. The Lord named exactly seven Nations, the *Canaanites*, the *Jebusites*, &c. which are mentioned in the seventh Chapter of *Deuteronomy*, which possessed the Land of *Promise*, which was promised to *Abraham* and to his Posterity. It is true however that God was willing to punish the Idolatry of those Infidel Nations, by abandoning them to the Israelites. But then if God had resolved to punish them only because they were Idolaters, he would have punished all the Nations of the Earth in the same manner, since all were engaged in the same Sin: And yet God particularized seven Nations, which he gave up to the Arms and Wrath of the Israelites, to shew that he delivered them up to their Enemies, rather to accomplish the Promise which he made to *Abraham*, than to chastise Idolaters. God also expressly forbade the Israelites to do any Harm to the *Edomites* and *Egyptians*, who had received them, when as yet they were Strangers in their own Country.

Secondly, that the Passage in *St. Luke*, Chap. xiv. where 'tis said, Compel them to enter in, ought not to be understood of an outward Constraint by War or Arms; but that it ought to be understood of an inward Inspiration, by the Motions which God excites in the Heart, immediately, or by the Ministry of Angels.

Thirdly, the Bishop maintains, That Christian Emperors never made War upon Gentiles to oblige them to renounce Idolatry, and to bring them to the Faith: That *Constantine's* Wars were purely political; and that thus we are to understand that Passage in the Ecclesiastical History, (*Lib. x. Cap. vi.*) That Prince, animated by his Piety, conquered the *Goths*, *Samaritans*, and several other barbarous Nations, by force of Arms, excepting those who sought his Friendship, and desired Peace. He therefore having submitted himself to the Empire of God, God, in Recompence of his Virtue, submitted all the People of the Universe to his Empire. *Constantine* made War upon the *Goths* and *Samaritans*, because they made incredible Ravages every where: But when these Barbarians were at Peace with the Christians, or did them no Harm, they let them be at quiet.

Fourthly, he adds, That if we would conquer the Pagans, we ought to do it by the good Examples we set them, and not by Violence. He quotes a Passage in *St. Augustine* to this purpose, who says, It belongs only to Mad-men and Assassins to use Force against those that are weaker than themselves. That Father also condemns those who, when they could do the Pagans no harm, offered themselves to Death, that they might be looked upon as Martyrs. He quotes this Passage out of the seventh Chapter of *Deut.* When you shall be Masters of the Land of *Promise*, you shall overturn the Altars of the Idols; which he explains thus; several Pagans have Idols in their Fields, shall we look upon it as our Duty to break these Idols? We had better pluck them from their Hearts. When they shall have embraced Christianity, and shall of themselves voluntarily exhort us to break their Idols in Pieces, we shall do it with Joy. In the mean time we ought to pray for their Conversion, without being angry with them because of their Idolatry. We are not ignorant where they have hidden their Idols; and yet we let them alone, because God has not given us Power to take them away against their Wills. When therefore does God give us a Power to take them away? It is when those to whom the Idols belong turn Christians.

The Bishop of *Chiapa* alledges also the Example of the Apostles and Martyrs, who overthrew Idols only by their Doctrine. In some Cases we may make effectual War upon Infidels; when they, for Example, violently usurp Christians Lands, as they did the Holy Land; when they prophane our Churches; when they break our Images; when they commit great Outrages upon Christians in Hatred of the Faith. The Emperor *Constantine* forbade the Gentiles to preserve their Images, for fear of scandalizing the Christians. If God punished the Crimes of the Sodomites severely, it does not follow from thence that all Sins against Nature ought to be punished in Infidels: We ought to admire the Judgments of God; but we ought not always to imitate all that he does. We also may punish Infidels if they blaspheme the holy Name of God; or if they dishonour Saints and the Church; if they openly hinder the Publication of the Faith; if they put its Preachers to death; But then

(a) Sans epargner ni les Femmes, ni les Enfants. The Text says the quite contrary, I fancy the French Translator mistook the Spanish Copy; for *Du pin* follows his Original right.

Moses says, Thou shalt smite every Male with the Edge of the Sword; but the Women and little ones thou shalt take to thy self. *Deut. xx. 13, 14.*

of the Ecclesiastical Writers of the latter part of the sixteenth Century. *Bartholomew de las Casas.*

it is not lawful to make War upon Idolaters, barely because they are Idolaters, or Sodomites, or guilty of any other personal Crime. Doctor *Sepulveda* says besides, That the *Indians* are Barbarians, born to Slavery. The Bishop of *Chiapa* says, in Answer to this Objection, That it is not lawful to make War upon Infidels with a Design to bring them to the Faith, which cannot be demonstrated by natural Reasons; but that in order thereunto the Understanding must be led in Captivity, as St. *Paul* speaks: That it is necessary, that those who will embrace the Faith should have a pious Affection to lead them thereunto; and have no Aversion to the Preachers of the Faith, who, by the good Examples of their Lives, ought to draw Infidels to the Doctrine which they preach to them. Now it is plain, That War is absolutely contrary to this End, because it creates in Idolaters a Horror of the Christians, who cause to them so much Mischiefe. They can only detest that Law, which authorizes, as they imagine, such dreadful Disorders. The Bishop concludes with saying, That we are mistaken, if we say that the Wars made upon Infidels are not intended to introduce the Faith with open Force, but only to subdue those barbarous Nations, in order to dispose them to receive the Faith voluntarily: He pretends, That that is wrong Reasoning, because War sows Terror among those People; and that if they embrace the Faith, it is rather out of Fear than Love. Their Neighbours, who hear talk of the Violences, Robberies and Massacres, which the War has caused, to avoid these Misfortunes, embrace the Faith blindly, and without knowing what they do.

Doctor *Sepulveda* raises another Objection; namely, That the *Indians* massacre innocent People, to sacrifice them, or to eat them. To this the Bishop answers, That if the Church exhorts us to undertake the Defence of the Innocent, it ought not to be done by Force of Arms: First, because of two Evils we ought always to chuse the least. If the *Indians* kill and eat some innocent Persons, it is doubtless a great Evil; but War would bring many more Massacres along with it: And besides, these Wars dishonour the Faith, and render Christians odious to Infidels. If they kill Men to sacrifice them, they are in some sort excusable, because they are in an Error, and would never trust Soldiers, who come to them with Arms in their Hands, to rob and to kill them, rather than to instruct them. Their Ignorance is their Excuse; and consequently we have no Right to punish them. *Plutarch* says, that when the *Romans* subdued the barbarous Nations which sacrificed Men, they did not punish them for it; but forbade them to do so for the future. The *Indians* are not obliged to come back from their Errors in a Moment; the Light of Nature, which lets them know that there is a God, teaches them also that they ought to honour him, to thank him for Benefits received, and to pacify him for Crimes which they have committed against his Majesty: Consequently they ought to offer to him what they have most excellent; and so they are in some sort excusable if they sacrifice Men to the Gods whom they worship. I say this Ignorance is excusable, because they have no Knowledge of the Supernatural Law. They know only the Law of Nature; and besides, the Light of the Gentiles is obscured by thick Darkness. They think they do a Thing very well pleasing to God, when they offer to him the Lives of Men. This also may be confirmed by the Testimony of Scripture, because God, to try the Fidelity of *Abraham*, commanded him to sacrifice his only Son, whom he so tenderly loved; because God is the absolute Master of the Lives and Deaths of Men. God likewise commanded the *Israelites* to redeem themselves by sacrificing some Animal. It is observed in Scripture, that it is impossible to give a greater Testimony of Love, than to sacrifice a Man's self for the Person whom he loves. Therefore, in the *Indies*, the Wives, whom their Husbands love best, bury themselves with them, that they may give them the more sensible Proofs of their Conjugal Fidelity.

In Answer to the Reason which Doctor *Sepulveda* alleged, that the Barbarism of the *Indies*, who are born to Slavery, is a sufficient Title to declare War against them, in order to subject them to the Dominion of the *Europeans*; the Bishop of *Chiapa* says, there are three different Species of Barbarians: For first, that Term may be generally taken for any Nation which has some extraordinary Opinion, or follows any particular Customs, tho' it wants no Political Prudence to guide it self in its own Affairs. The second sort of Barbarians is of those who have no Language by which they can make themselves understood: Such were formerly the *English*, who had neither Letters nor Characters to express their Thoughts. The third sort is of those who resemble in some measure the Wild Beasts in the Stupidity of their Understandings, their Brutal Inclinations, and the Extravagancy of their Customs; who wander in the Fields, without ever gathering into Towns or Cities; who have no Laws nor Policy; who observe nothing of what the Law of Nations prescribes; who run at all Adventures to steal or to do Violence to all those that cannot resist them, as

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the *Goths* and *Alans* did heretofore, and as some *Asiatick* *Arabs* do to this Day. It is as lawful to make War upon of the Ecclesiastical such sort People, as it is to hunt Wild Beasts; and it would be a great piece of Service to these Nations to bring them to Discipline. But tho' the *Indians* have some extraordinary Customs, and are not yet well polished, yet we ought not for that Reason to look upon them as barbarous: On the contrary, they are gentle, civil, tractable; they are numerous, have Cities, and Laws, understand Arts, have Sovereigns, and a sort of regular Government: They not only punish Sins against Nature, but they have Capital Punishments established amongst them for Crimes of lesser Consequence. Their Policy has its particular Rules; and so their Barbarity is no sufficient Reason to declare War against them: That would be a visible Injustice, and downright Tyranny; instead of furthering the publishing of the Gospel by that Means, they would lose all Hopes of establishing the Faith among these Idolaters. The best Expedient would be to send some Preachers into the *Indies*, to endeavour to bring over some of the Principal of them to the Faith, with whom they might treat of Peace, in order to favour the Entry of the *Europeans* into the *Indies* by gentle and peaceable Ways. If there should appear any Danger, they might build some Forts upon the Frontiers, thereby to treat with them the more securely, and so to bring them to relish our Religion by degrees, by the good Examples which they might give them.

The last Piece in this Collection is a long Memorial, which *Bartholomew de las Casas* drew up by Order of the Council Royal of the *Indies*, to be presented to the Emperor. He there shews, that it is just, and for the Interest of Religion, and of the State, not to deliver the *Indians* up to Tyrants; to preserve their Liberties; to treat them as the rest of his Majesty's Subjects; to let them enjoy their Estates; and not to give the Fee of their Country to particular Lords, but to reserve it for the King of Spain.

Upon this last Point this same Author wrote a *Latine* Book, to examine this Question, *Whether Kings or Princes can with a safe Conscience, by Virtue of any Right or Title, alienate their Citizens and Subjects from their Crowns, and submit them to the Domination of any other particular Lord.* This very rare Book was printed twice in Germany; first by the Care of *Wolfgangus Griessteterus*; and then at *Tubing* in 1625. by *James Killinger*, in the Printing-House of *Bernard Wildius*. *Bartholomew de las Casas* handles very delicate and curious Questions in that Book, concerning the Rights of Sovereign Princes, and of the People. Some of the Principles and Manners which he asserts are these; that in the Beginning of Things Men and Goods were free: That Servitude is an odious Thing, not introduced by any natural Cause, but by Accident: That it is not presumed, but ought to be proved: That no Lapse of Time prescribes against Liberty: That Kings have not a direct and advantageous Royalty over the Estates of their Kingdoms: That they are not Possessors, nor, properly speaking, Lords: That their Subjects are not their Vassals; but that they have a Sovereign Jurisdiction over Goods and Persons: That when we say their Kingdom is theirs, we must understand that Propriety as to Jurisdiction and Protection, because the Terms *Meum* and *Tuum* do not always denote the Propriety of any thing, but sometimes a Power to rule and govern it: That Possessors of Estates ought to be esteemed Proprietaries: That the Power of Kings is for the Good of the People: That the Revenues which they enjoy as Kings, are not annexed to their Persons, but to their Dignities: That when a King has several Kingdoms, Charity obliges them to help one another mutually, if they can do it without any considerable Damage; (for in such a Case every Man owes more to his own Country than to Strangers:) That all Laws of Princes ought to have the Advantage of the People, and the good Government, of the State in view. From these Principles he concludes, that Princes cannot alienate their Subjects upon any Pretence whatsoever, if they do not voluntarily consent: For says he, the Estate of the Prince is of four sorts; namely, Jurisdiction, or Civil and Criminal Power; what belongs to the Treasury, (*c. i.*) the publick Revenues of the Government, of which he pretends the King is only Administrator; the Patrimonial Revenues, which the King has by Succession, or Acquisition; and lastly, the Goods of his Subjects, over which he has Jurisdiction. He does not think the Prince can alienate his Jurisdiction, because it is a publick Right; nor sell it, because no Price can be put upon it; nor give it away, because it is no part of his Patrimony; but belongs to the Crown: Nor does he think the publick Revenues of the Government can be alienated, or that any Prescription is valid in such Alienations: Nor does he think that any Subjects can be discharged from any Burthens or Tributes, to which they are obliged by the Laws of the State. He owns what is Patrimonial may be alienated; but then that it is to be done with Moderation, and excessive Profusion ought to be avoided; because Poverty does not become a Sovereign; and it is for the Advantage of a State that the

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King should be rich. As to the Goods of particular Men, he owns, that tho' the Sovereign be not the Master, yet in case of publick Necessity he may dispose of them, and they are obliged to assist him. He affirms, that a Kingdom is not alienable, either in whole or in part, because it is a Whole whose Parts are mutually connected together, and which cannot be dismembred without maiming, disfiguring, and weakening the Whole. Yet he owns, that there are some Occasions in which a King may alienate part of his Kingdom for the publick Good of the State, and with the Consent of his Subjects: But then he cannot do this for the Advantage of any private Persons, no, not of the Church, or for any

Works of Piety: Much less can he do it to enrich or recompense Services done to the State, which he may do some other way: That he may indeed make some Donations to the Queen, not only of his Patrimonial Estate, but even of the Revenue of some Cities during the Queen's Life, without asking his Subjects Leave for so doing: That he can also assign to his Brother, and the Princes of the Blood, Estates in Fee to enjoy, but then he must have a Care that those Grants be not chargeable to the People. All these Maxims are founded by our Author upon Passages in the Civil and Canon Law, and upon the Authority of Lawyers and Doctors.

THOMAS CAMPEGIUS.

Thomas Campegius.

Thomas Campegius, Son of John Campegius, the famous Lawyer of Bononia, Brother of Cardinal Laurentius Campegius, went with his Brother in several Legations, and was made joint Governor with him by Leo X. of the Cities of Parma and Piacenza. He succeeded him in the Bishoprick of Feltri, and was sent by Paul III. as Nuncio to the Conference held at Worms in 1540. He was one of the first three Bishops that were at the Opening of the Council of Trent in 1545. and assisted at the Sessions which were held under the Pontificate of Paul III. He died at Rome, January 11. 1564. aged 64 Years.

Campegius wrote several small Tracts upon several Points of Ecclesiastical Polity: The most considerable and the scarcest, is that of the Authority of Holy Councils, dedicated to Pope Pius IV. and printed at Venice in 1561. He there treats methodically and briefly of all the Questions which can concern General Councils, and is not quite so partial as the generality of the Divines beyond the Mountains. The World shall judge by the Faithful Extract which I shall make of this Book. He does not undertake to lay down a Definition of a General Council, because there are so many different Opinions concerning the Conditions which are requisite to make a Council General, that it is very hard to give a Definition in which all Men will agree. As to the Causes for which Councils have been called, Refutation of Heresies and Condemnation of Hereticks is the chiefest. For though Heresies have not always been stifled by General Councils immediately, yet they had Authority enough to extinguish them in time by little and little; though mighty Princes have supported them by force of Arms and by cruel Actions. If Heresies of private Men have been ground sufficient to call a Council, one ought with much more Reason be called when there is a violent Suspicion that the Pope is a Heretick, or that he is defamed. King Theodorick called a Council to judge Symmachus, who was suspected of Heresy; and Roman Popes have called Councils themselves, to clear themselves from Infamy; of which we have Examples in Sixtus II. Damasus and Leo IV. If any Man, without a lawful and canonical Election, would seize upon the Holy See by Force and Violence, this also would be a just Cause to call a Council: And so likewise, if two Persons, chosen by two different Parties, should assume the Quality of Popes; for we see that Councils have put an End to several Schisms of Popes, such as that of Damasus and Ursicinus, Symmachus and Laurentius, Benedict IX. Sylvester III. and Gregory VI. of Innocent II. and Anacletus; and lastly, of John XXIII. Benedict XIII. and Gregory XII. A Council ought to be called if an Emperor should fall into Heresy; should declare War against the Church, or should begin unjust Wars. So Gregory III. did against the Emperor Leo, Gregory VII. against the Emperor Henry IV. Paschal II. against Henry V. and Innocent IV. against Frederick III. Other Reasons of calling Councils are the Reformation of the Church; of the Manners of Ecclesiasticks, and of other Christians, and of evil Customs; Peace between Christians; Crusades against Infidels; Scandal which a Pope might give to the Universal Church; if when he had secretly laid down the Pontificate, the Cardinals would proceed to a new Election, though he repented that he had so laid down; if during the Vacancy of a See the Cardinals should defer to chuse a Pope, and the Church should suffer by it; lastly, if a Pope should be deposed without the Forms of Law.

Campegius does not think a Pope is always obliged to call a Council to decide Questions of Faith, though it be decent to consult Bishops about it. Nor does he think there is need of calling one, if a Pope turns Fool, because then the Pontifical Authority devolves upon the Cardinals. He disapproves of the Opinion of Cardinal Zabarella, who thinks Councils ought to be called for the Vices of Popes. He affirms, that Councils being inferior to Popes cannot impose Laws upon them, nor depose them, but that they may resist them, and command Men not to obey them in any thing which they shall command against the Good of the Church.

Concerning calling a General Council, Men first ask, whose Business it is to call one? Campegius says, that regularly it is the Pope's; and gives the following Reasons: First, because in the old Law it was unlawful to call any Assembly without the Authority of the High Priest. Secondly, because, as the principal Person in any Church calls a Chapter, and the Metropolitan assembles the Bishops of a Province, so he that has the greatest Authority in the Church calls an Assembly of the Universal Church. Thirdly, because Patriarchs, Bishops, Emperors and Kings must be called to it; and it is the Pope alone who has Jurisdiction over them all, in Matters relating to Faith and Religion. Fourthly, because no Synod can be held without the Pope's Authority, according to the Rule produced by Socrates, and authorized by Popes Julius, Liberius, Innocent I. Leo I. and Pelagius. He owns, that Emperors have called several Councils; but he thinks it was done by the Consent and with the Authority of Popes: And affirms, that these Examples cannot create a Custom, because this is never done but out of necessity, and because it is difficult to get all the Bishops together any otherway. If a Pope should be branded with Heresy, and it cannot be dissembled without Scandal, he thinks the Cardinals, or the other Faithful, ought to admonish him to clear himself, by making publick Profession of the true Faith; and if he refuses, they ought to require him to call or cause to be called a General Council, which if he will not do, the Cardinals may do it without him. Campegius confesses, that an Heretical Pope is inferior to a Catholick Council. A second Case in which the Cardinals have a Right to call a Council, is, when two contend for the Pontificate, and it is doubtful who ought to be obey'd, for neither of the two has a Power to call one; but then we ought to suppose that the Right of both is doubtful, for if one be chosen by two Thirds of the Cardinals, and the other be an Intruder, an Usurper, and Apostatical rather than Apostolical, there would be no need of calling a Council, or at least the lawful Pope ought to call it; so also, if two contend about the Validity of an Election, and but one is in Possession, 'tis he that must call the Council. If in the alledged Cases the Cardinals will not call one, Campegius owns it belongs to the Emperor to do it, as Protector of the Church; and if the Pope refuses to appear, he may require him by his Mandate. Lastly, he is positive, that Prelates may meet by their own Authority, even though no Person should convoke them; and though the Pope should refuse to grant his Authority to such a Council, yet against his Will they might proceed to enquire into the Truth, according to the Laws of God and Man.

Concerning the Time within which a Council is to be called, he makes the following Observations: That a sufficient Term ought to be fixed, that all those that are summoned may have time to come: That a Year seems sufficient, but it ought not to be less: That this however depends upon the Will and Prudence of the Pope. He commends the Canon *Frequens* of the Council of Constance, and says the Method there set down should be follow'd. He gives a Power to defer it, provided such Prorogation be not to the Prejudice of the Church. He would have the Absent staid for, till there be a sufficient Number of Prelates got together: He says it ought to last till the Business for which it is called be at an End.

Concerning the Place, he observes such a one ought to be appointed, where Provisions are plentiful and cheap; the Air wholesome, convenient for all those that are to come thither, and to which Men may come, and stay there securely. He prefers a Place where the Heresy [to be condemn'd] must be supposed to be known. If no Place of Indiction be fixed, he thinks the Prelates are obliged to go where the Pope lives. He does not question but the Pope has a Power to remove it; but then he owns it ought not to be done without Reason, nor provided the Hereticks will promise to submit to the Council, if the Place be not changed. He observes, that Churches are the Places in which they ought to meet.

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(b) The French is *Qu'ils peuvent y être présens, non pour juger, mais pour être Juges, non en qualité de Juges, mais de Témoin, & de Conseillers.* There is a Mistake here for certain; but

not as to the full Administration of Jurisdiction; the Council however may then issue out necessary Orders for the ecclesiastical Government and Defence of the Church, and even provide in Cases where the Law gives it no Disposition, if they cannot be deferred without great Prejudice to the Church; but then it ought to undertake nothing without a very pressing Necessity.

Lastly, *Campegius* says, the Pope can dissolve, translate, and prorogue a Council, provided the general State of the Church be not troubled by this Dissolution, Translation, or Prorogation; but that he cannot do it, when a Council is called for Causes which do not depend upon the Pope, and to which he alone cannot apply a Remedy; as if it were called for a Matter of Faith; to define in difficult Questions which cannot be decided without a Council, as the Extirpation of Heresy for the purpose; if it is called against a Pope who is accused or suspected of Heresy; if Hereticks should promise to submit to a Council in case it were not changed, and there were no hopes of their Return if that Opportunity were let slip.

The other Treatises of *Thomas Campegius* were printed at Venice in 1555. The first is, *Of the Authority and Power of the Pope*, which he builds upon the following Principles: That it was necessary, when Jesus Christ left this Earth, that he should leave a Vicar to govern the Church in his room: That St. Peter was chosen by him for that Purpose: That he trusted the Care of his Flock with him, and made him universal Pastor, by the Words which he said to him before his Ascension, *Feed my Sheep*; in which he fulfilled the Promise which he made to him, *Matth. 16. Thou art Peter, and upon this Rock I will build my Church*. For *Campegius* pretends, and proves it in a Chapter on Purpose, That St. Peter was not made Head of the Church by these last Words, nor till Jesus Christ commanded him to *Feed his Sheep*; that however, he was always esteemed the worthiest in the Apostolical College, to be preferred before the rest, and considered as the first. That the Primacy of St. Peter appeared remarkable after the Resurrection, upon several Occasions: That the Holy Fathers of the Church, out of whom he cites several Passages, acknowledged it: That the Keys of the Church were given immediately by Jesus Christ to St. Peter and his Successors: That he is the Rock and Foundation of the Church, and received his Power immediately from Jesus Christ: That the Authority which was given to St. Peter belongs also to his Successors; and that the Popes of Rome have only been owned by the Church as his Successors, that they may assume the Title of *Bishops of the Universal Church*: That all the Faithful are obliged to obey them: That Bishops, Princes, and Councils have submitted to them: That the greater Causes have in all times been carried to the Holy See: That all the Faithful are allowed to carry their Appeals thither; and that from its Judgment there is no Appeal: That it belongs to the Pope to confirm the Elections of the Bishops of the whole World; and that the Pope is above a general Council. *Campegius* handles this last Point very largely; and proposes upon this Question abundance of Objections, which he answers for the most part very feebly: He labours to explain the Decree of the Council of *Constance*, and to apply it only to a Time of Schism; though he owns withal that it may be otherwise understood: That the Council of *Basis* believed in General; and that it would be worth while to explain it by a Declaration, setting forth, that it is not Obligatory, except when the Pope is fallen into Heresy, or reasonably suspected of it; or when, upon several Persons assuming the Title of Pope, it is questionable to whom it appertains. He concludes from hence, that the Pope cannot be deposed by a Council for Crimes, but only for Heresy. He proposes also against this Assertion very strong Reasons, to which he gives no satisfactory Answers. He objects, for Example, That a Pope who should sell his Benefices, who should put into them the unworthiest Men; who should abuse good Men: who should be tyrannical, and should scandalize the Church by other Crimes; would be more guilty, and do more Injury to the Church, than an Heretical Pope; and consequently, if a Pope may be deposed for Heresy, he may with much greater Reason be deposed for these sorts of Crimes, if he is incorrigible. To this he answers, That the Crime of Heresy may indeed be less great; but then we must not mind the Enormity of the Crime, but the Alteration of Condition which Heresy makes, since thereby a Pope loses the Quality of Christian, and becomes deposed *de Jure*: That other Crimes may do more harm to others, but not so much to the Pope. No Man of good Sense will be satisfied with that Answer; for whether we regard the Crime, or the publick Good, it will certainly hold true, That if God has given his Church a Power to depose the Pope upon some Occasions, 'tis then when he is most guilty, and when his Sin can do most hurt to his Flock. A Pope who hates God, who persecutes his Church, who openly overturns his Laws, is not less unworthy of the Name of Christian, nor less deposed of right, than one that is a Heretick, or a Favourer of Hereticks. Let us

examine the other Solutions of *Campegius*, we shall see that they are not solidier than this. He affirms also, but upon very frivolous Reasons, That the Pope cannot voluntarily submit to the Judgment of a Council. He attributes to the Holy See the Power and Right of confirming the Decrees and Acts of Councils; of rejecting such as have not been held pursuant to Canonical Rules; of explaining any Ambiguities in their Decisions; of dispensing with their Decrees; and even of revoking and abolishing them. *Campegius* often quotes the false Decretals of the first Popes, to establish these pretended Rights of the Sovereign Pontiff.

This Treatise is followed with a Discourse concerning the Duty of Christian Princes. *Campegius* cites upon this Argument that noble Passage of St. Augustine, *Lib. 5. Cap. 14. De Civitate Dei*, which contains an Abridgment of all the Duties of Christian Princes; and then sets down their principal Duties particularly; such as to love Justice; to have no End but the Good of their Subjects; to honour the Ministers of God, and not to meddle with Things relating to Religion; to abstain, as *Constantine* did, from judging of Bishops; to undertake the Defence of Widows, Orphans, and the Poor; not to attempt any thing upon the Ecclesiastical Jurisdiction; not to make new Impositions upon Churchmens Estates; to support their Communities: to rebuild ruined Churches; to observe the Laws; to prevent Civil Wars; to preserve Peace; to defend his Subjects; to protect his Allies; to be faithful in keeping his Word and Treaties; to give Employments to Men of Merit, not to raise new Taxes, unnecessarily, &c.

Campegius proves in another Treatise, That Priests may lawfully possess Temporal Estates. There is no doubt but this was allowed them in the old Law; and St. Paul commands Bishops in the new Law to be charitable and hospitable, which they cannot be if they have no Estates. In the Primitive Church Men were promoted to Bishopricks who had Wives and Children: These, by the Laws of God and Man, they were obliged to maintain, which they could not do without Estates. The Gospel teacheth us, That Jesus Christ had a Purse; and when he forbade his Disciples to have Gold or Silver, or to carry any in their Purses, it was but for a time, and so long as they were not allowed to preach to the Gentiles. After his Resurrection, Jesus Christ revoked that Prohibition. Nor is it certain that he ever absolutely forbade their having Money; and the Term *Nolite*, which he uses, points here, as in several other Places, at too great a Desire, and an irregular Coveting of Riches, which is contrary to Salvation. He explains also very solidly other Passages of Scripture, which were objected to shew that the Ministers of Jesus Christ ought to possess no Estates. He shews, in a second Part, That they may also possess Temporal Demesnes and Lordships.

In his Treatise of the Residence of Pastors, after having proved the Obligation they lie under to reside upon their Benefices, he denies this obligation to be properly of Divine Right, or ordained by the Law of God; tho' it may be called of Divine Right, either because it is ordained by the Inspiration of the Holy Spirit, or because it is a part of that Order which leads Men to God. He reckons up at last the Reasons for which a Bishop may be absent from his Church.

In a Discourse concerning Plurality of Benefices, he blames them severely. He says it is uncertain whether this Plurality became so common thro' the too great Easiness in Popes to grant Dispensations, or thro' the Importunity of the Petitioners. He thinks it would be a great Service to the Church to have them moderated, and in such Dispensations to have Regard only to the Necessity or Advantage of Churches, and not to the Interest of particular Men. He cites several Canon Laws against this Plurality of Benefices; tho' he allows that there are Cases in which it is good and honourable to have several, provided Souls do not suffer; as, when a Man possesses two Benefices, neither of which are alone sufficient to maintain and support him, when two Benefices are united; when a Prebend and a Personage are in the same Church; when the Person to whom several Benefices are given uses them for the Advantage of the Church, &c.

In his Treatise of Simony, after having proved that it is Simony by the Law of God to receive and give Money, not only for Collation of Orders, or Benefices with Cure of Souls, but also of simple Benefices, he concludes, that the Pope would be guilty of Simony if he should take Money for collating to a Benefice; tho' he would not incur those Penalties inflicted by Law against Simoniacks, which he would incur who should give him Money to obtain those Benefices.

He has also a Tract concerning the Institution, and in Defence of Annates. He does not found them upon the Divine Right of the old Law, by which a Tenth of the Tythes was due to the holy Priest; but refers their Institution to the Council of *Vienne* in 1311. He thinks it would be unjust to refuse this Privilege to the Pope; and that it is very reasonable, that all Churches should assist him who is Bishop of the Universal Church. He acquits them of Simony, because

Of the ecclesiastical Writers of the latter Part of the Sixteenth Century.

Thomas Campegius

cause it is not the Prelate who is collated to the Benefice, who is obliged to the *Annates*; but the Church is subject to this Burthen, which the new Comer clears; and this the *Writers of the latter* a Benefice is given to one, and not to another, since they are part of the indifferently due and payable by any Persons that are collated to them.

Reservations of Benefices are the Subject of another Discourse of *Campegius's*: He says they had been used for 350 Years past; when Pope *Clement III.* who was made Pope in 1188. made a Constitution, in which he reserves to the Pope the Benefices which were vacant in the Court of *Rome*: That *Innocent III.* authorized the Reservations which were made by the Legates of the Holy Apostolick See, and the Mandates of Provision, which were yet more ancient: That in the Chapter *Porro D. 63.* we read how *Nicholas I.* reserved to himself the Churches of *Triers* and *Cologne*, by ordaining, that none should be chosen to them till it should be reported to the Holy See: That *St. Gregory* did the same with relation to the Church of *Salona*, as may be seen in the Chapter *Salonitane* in the same Distinction: But these two last Examples are not properly Reservations. *Campegius* endeavours to prove that they are lawful by the following Reasons: Because the Emperor has a Privilege, which is allowed him by the Holy See, to put one Person in into every Church in *Germany* by his own Recommendation: Because the Pope has a general Power over all Benefices, and can restrain the Right of particular ones: Because it is just that the Pope should have a Way whereby to reward those that have laboured for him, his Predecessors, and the Church: Because Reservations, being moderated according to the Law, are not very burdesome to Collators, and do not deprive them of their Right of chusing or collating. He advises the Popes to use their Right moderately; and says, that *Gratie Expectantiae* have been invented but since *Innocent IVth's* Time: And that tho' the Pope may rightly confer the Benefices of the whole World, and concur with all Ordinaries; yet it would not be honourable to use his whole Power, and to swallow up the Authority and Jurisdiction of all Bishops, by leaving them only their Mitre and Cross, and other outward Ornaments: Especially that they ought not to give Mandates, by which a Power is given to confer one, two, three, or any determinate number of Benefices, which shall become vacant, not only in one Diocese, but also in one Province or Kingdom; and not to suffer Men to enjoy incompatible Benefices by these sort of Reservations.

He wrote also two distinct Treatises concerning *Pensions of Benefices, Reservation of Profits, Regresses, Commendams, Unions of Churches, and Coadjutorships*. What he observes most singular of these Matters is this: Concerning *Pensions*, that they are not prohibited when they are erected for the Good of Peace; to end Suits which are Sincere, and not Collusory: That *Innocent III's* Decree, *Ch. 1. Ut Ecclesia sine Diminutione conferatur*, does not forbid Reservations of Pensions, but only the Collator's reserving any part of the Benefice to which he collates: That there are some ancient Examples of these Pensions: That when *Polychronius*, Bishop of *Jerusalem*, was deposed in a Council, he was allowed the Revenue of three Farms for his Subsistence: That we read also, that an Emperor and a Council allowed a Bishop of *Crete* a Pension of two hundred Crowns a Year upon the Metropolis of *Monembasia*. *Campegius* however advises, that Care should be taken that the same Benefice be not laden with several Pensions; and that it would be proper that the Custom of transferring Pensions from one to another were abolished. The *Reservation of all Profits* seems to be unjust; and yet *Campegius* thinks it lawful when the Pope, who has Fulness of Power, grants it, and he that receives the Benecce agrees to it. *Regresses*, or a Power of Re-entering into a Benefice, as often and whensoever Men will, is a new Invention: They are odious, contrary to good Manners, and tempt Men to wish others dead. *Campegius* therefore is not for having them granted to all sorts of Persons, nor upon all Occasions, but only when it is for the Good of the Church. There are two sorts of *Commendams*; some are for the Good of the Church, others for the Advantage of the *Commendatary*: The former are ancient: Those that were entrusted with a vacant Church were called *Visitators*: They did not take more than was just necessary of the Revenues of a Church, but left the rest to him that had the *Titular Provision*. Of these sorts of *Commendams* there are abundance of Examples in the Letters of *St. Gregory the Great*; and *Pelagius* his Predecessor gave before him the *Commendam* of the vacant Church of *Catania* to the Bishop of *Messina*. After that, when a Man had two Benefices, he held the one in Title, and the other in *Commendam*. When the Monastical Discipline grew loose in Monasteries, *Commendataries* were appointed to restore it: *Commendataries* were as it were Tutors and Curators of Monasteries, who were to put them into Order. These *Commendams*, which were but Temporary at first, were afterwards given for Life; and at last it became Customary, that Churches once held in *Commendam* should always continue so, as if they had

changed their State. These second *Commendams* were equal to a Title, and were given to the *Commendatary* for his more convenient Subsistence, as the Bulls of Concession set forth. These *Commendams* make a good Use of the Revenues of the Benefices which they thus hold in *Commendam*; that they take Care the Church do not want Ministers; that the Buildings do not fall to Ruine; and lastly, that they do not use this Artifice to possess several incompatible Benefices. There are Examples in *St. Gregory* of perpetual Unions of two Churches, which are allowable in Cases of Necessity or Advantage. Unions of Bishopricks are made three ways. I. When one Church is subjected to another; in which Case the Episcopal See ought to be in the Church to which the other is subjected. II. By uniting two Dignities into one; in which Case the Chapters of both Churches shall be of equal Dignity. III. By making both Churches Episcopal; in which Case there shall be two Sees, and one single Bishop; and if these two Churches depend upon two Metropolitans, each one shall preserve his own Jurisdiction. The lawful Causes of Union are lessening of Parishes when there cannot be Churchmen enough to serve both Churches, or when there is not enough to maintain them; and when a Country is impoverish'd, and depopulated by Wars: The Causes of the Union, ceasing also the Union, ought to cease: As much as Union made for the Good of the Church ought to be commended, so much those ought to be detested which are made only for the Life of one single Person, to cover Incompatibility, or want of Age; because Benefices united create no Incompatibility, and a Benefice with a Cure of Souls, united to a Prebend, does not oblige a Man to be a Priest. There are ancient Examples of *Coadjutors* appointed in Churches. In *Eusebius's* Ecclesiastical History we find that *Alexander* was appointed *Coadjutor* to *Narcissus* Bishop of *Jerusalem*; and *Theotecnus*, who governed the Church of *Cesarea*, to *Anatolius*. *St. Gregory Nazianzen* was for some time his Father's *Coadjutor* at *Nazianzum*. *St. Augustine* was ordained Bishop of *Hippo* while *Valerius* lived. Some Bishops have appointed their Successors: This was forbidden by the Canons, because of the Abuses which it might occasion. *Boniface VIII.* reserved to the Pope a Power to appoint *Coadjutors*, with a Right to succeed. These *Coadjutors* must have all the Qualities requisite for a Benefice; and no Man can be regularly made so against his Will. A *Coadjutor* is not esteemed a Bishop: He does not enjoy the entire Revenue of the Bishoprick: He has no Right to give Benefices; but he may perform the Episcopal Functions, and exercise the Jurisdictions. *Campegius* does not disapprove of the Custom of appointing *Coadjutors* to Bishops, provided it be not done out of Considerations of Kindred or Family, but with a View of profiting the Church; and that Men of Worth, who can perform the Duties of a Bishop well, be chosen.

The other Treatises of *Campegius* relate to the *Forum Penitentiae*. The first is of Cases reserved to the Pope or the Bishop. He approves of this Custom, and shews its Usefulness. He founds the Reservation of certain Cases to the Pope, upon the Canon which obliges *Greater Causes* to be carried to the Holy See, and upon that Law in which it is ordained, that the Judges whom *Moses* appointed over the People of *Israel*, were to bring Matters of Consequence before him. These two Arguments seem very foreign.

Exemptions are the Subject of another Tract. The Attempts and the Negligence of Ordinaries have given Occasion for Exemptions. *Campegius* thinks they ought not to complain that some part of the Care of their Dioceses is taken off their Hands, and that other Persons, are appointed to assist them. He is not for having Monasteries and Chapters that are exempt, treated as if they were Headless, since they have the Pope for their Head.

In his Discourse of *Excommunication*, when he had proved by Passages out of Scripture, that the Church has a Power to excommunicate for Heresy, and for other Crimes, he observes, that no Man ought to be excommunicated for slight Causes; and he shews, that the Church never uses Excommunication, but for the Salvation and Conversion of those whom it excommunicates. To justify Local Interdicts, he produces Examples; which shew that God sometimes punishes one Person for anothers Crimes; and the Innocent are interdicted for the Guilty, that so they may drive him out, and oblige him to do his Duty.

He has another particular Tract of the Observation of *Festivals*. He takes notice, that the Command to sanctify the Sabbath is not barely Ceremonial, but also Moral: That the Observation of the Lord's Day succeeded to it in the New Law: That the forbidding to labour upon that Day, is not so severe nor so strict as it was in the Old Law: That it is more easily dispensed with: That tho' we are obliged to abstain upon that Day from servile Works, yet we ought to perform those Duties which are for the Service of God: That we ought mutually to help one another in what relates to the Good both of the Soul and Body: That the Canons allow Men to bring their Harvest under Cover, when there

is Danger of its suffering Damage by Delay: And if the Foxes should spoil the Lands on a Sunday, they might be taken, lest they should not get another Opportunity.

The Question, *Whether a Bishop consecrated by Schismatics is truly a Bishop, and can rightfully Ordain?* is the Subject of another of *Campegius's* Tracts. He concludes in the affirmative; and grounds upon *St. Augustin's* Principles, that Sacraments may be validly administered by Hereticks and Schismatics.

The last Tract of *Campegius's* is in that Collection upon this Question, *Whether the Pope can dissolve a Marriage contracted between Hereticks?* Before he decides that Question, he lays down the following Principles: I. That the Pope can dissolve a Marriage contracted *per Verba de presenti*, if not consummated; but when consummated, he cannot. II. That there is a true and lawful Marriage between Infidels, but not perfect and indissoluble. III. That before the Law was written, a believing Man or Woman might marry an Unbeliever; but this was forbidden by the Law, when there was Danger

of a Jew's being corrupted by his unbelieving Wife; and that this is entirely forbidden under the Law of Grace. IV. That a Marriage contracted between a Catholic Man and a heretical Woman, who has been baptized, is valid, nay a Sacrament, because they both have Baptism, which is the Gate of the Sacraments; and so their Marriage is indissoluble. He concludes therefore, that the Pope cannot dissolve Marriages contracted by Hereticks; but thinks, that he may declare such Persons incapable to contract Marriages; and then after such Declaration their Marriages would be null.

There is also a Treatise of *Campegius's*, printed at Venice in 1554. to shew, that the Law which obliges those that are in Holy Orders to Celibacy, ought not to be abolished. This Author treats of every thing shortly and succinctly, but with great Method and Clearness: He judges more soundly, and with less Prejudice, than most of the Canonists beyond the Mountains. He not only understood the Canon Law, but also the Principles of Divinity.

CHARLES du MOULIN.

After *Charles du Moulin*, commonly called *Du Moulin*, a famous Lawyer, and Advocate in the Parliament of *Paris*, having published several considerable Discourses concerning the Discipline of the Church, which made a great deal of Noise, may well be reckoned among the Ecclesiastical Writers. He was born at *Paris* about the end of the Year 1500. He was the Son of *John du Moulin*, an Advocate, and of *Perette Cœunssudin*. The Family of the *Moulins*, Lords of *Fontenai in Brie*, is illustrious; and it is believed that *Charles du Moulin's* Father was descended from it. When he had gone thro' his Humanity and Philosophy Studies at *Paris*, he was sent to *Orleans* to study the Law; and when he was seventeen Years of Age, he read publick Lectures there concerning the Tree of Consanguinity; in which he undertook to shew, that the Civil Law was more equitable in that Matter than the Canon Law: I. Because the Canon Law approves of Marriages contracted by the Son of the Family, without his Parents Consent: II. Because it declares, that by an unlawful Copulation, there is contracted a dissolving Impediment: III. Because it pretends a publick Decency in bare Espousals between Collateral Relations, made in Words *de futuro*. *Du Moulin* mentions also some Law Lectures which he read at *Orleans* in 1521. In 1522 he was received Advocate and then followed the Bar; but having a Difficulty in speaking, he pleaded little, and gave himself wholly up to Consultations and Compositions. The first Book which he published was in 1539. *A Commentary upon the Customary of Paris*, dedicated to King *Francis I.* He went on to write quietly, with a general Esteem of the Publick, till the Year 1552. when his Peace was disturbed by a Tempest that was raised against him upon the account of a Book of his, *Of the Lesser Dates*. (c) *Henry II.* had published an Edict in June, 1550. to reform Abuses, Frauds, and Antedatings, and Forgeries, committed in the Dispatch of Benefices in the Court of *Rome*, proceeding chiefly from their Innovation in the Use of their *Lesser Dates*, and by the Knaveries of the Apostolical Notaries and Bankers. This Edict, which confirmed two preceding Edicts, was verified in Parliament July 24. About the same time the King declared War with Pope *Julius III.* and by his Edict of September 5. 1551. forbade the carrying any Money to *Rome*. The Nuncio was obliged to retire in Discontent, because the Parliament had issued out an Arrest against him, enjoining him to leave behind him in *France*, when he went away, the Seals and Registers of the *Expeditions* (d) which he had made during his Legation; and because it had made a Decree against his Datary, who had allowed of a Resignation upon a *Lesser Date*, upon a Petition presented to him, with a Derogatory Clause to the Rule of twenty Days.

The Court of *Rome* was much disturbed at the Regulations in the Edict of 1550. and declared, that it did not belong to the King, nor to his Parliament, to regulate Ecclesiastical Jurisdiction; and that this was an Attempt upon the Jurisdiction of the Holy See. *Charles du Moulin*, out of his Zeal for the King's Rights, published a Latin Commentary in 1551 upon this Edict *Of Lesser Dates*, and against the Abuses of the Court of *Rome*, and dedicated it to *Henry II.* and had it printed, with Privilege, at *Lyons* in 1552.

This Book no sooner appeared, but it raised up a great many Catholics against *du Moulin*. They were particular-

ly offended with his Preface, which being written in French was the more proper to make an Impression upon the minds of Prince and People. The *Gens du Roi*, (e) who, as one would have thought, should have been the most favourable to him, declared against him; and, upon Complaints laid before them, spake to Dr. *Mailleur* to read the Book, and to inform against it to the Faculty of Divinity of *Paris*. But when the Faculty made a Difficulty of entering into an Examination of the Book, left an Appeal, as from an Abuse, (f) should be brought against what they should do, the *Gens du Roi* were obliged to require the Court, May 2. to take Care of it, and to enjoin the Faculty to pass on to Censure, if there was Cause for it. The Court ordered that the Book should be communicated to the Faculty, that they might give in their Censure, which, before it was published, was to be brought into the Court, for them to give the proper Orders thereupon. The Condemnation, which was ready before, was quickly drawn up; for upon the 9th Instant they gave in a Censure, wherein, without marking any one Proposition, they declared, that *du Moulin's* Book was "pernicious, scandalous, seditious, schismatical, impious, blasphemous against the Saints, agreeing with the Heresies of the *Pandus, Wickliffs, Hussites and Lutherans*; That it contained the same Errors which *Marsilius Patavinus* maintained, who was condemned 200 Years before, and reckoned among the Hereticks: That it contained Propositions that were false, suspected, erroneous, impious and heretical, which the Author endeavoured to prove by Passages of Scripture, ill understood: That he often produced Quotations out of Authors, imperfect and improperly: That he shewed an insupportable Contempt for humane Traditions, and the Decretals of Popes: That he was injurious to the Pope, Cardinals, Bishops and Priests: That he was likely to draw Men from the Obedience which they owed them: That he destroyed *St. Peter's* Primacy, and the Authority and Jurisdiction of the Holy Apostolical See: That he made the Church Headless, and overturned the Hierarchical Order." From these Principles they drew this Conclusion. "That that Book ought to be suppressed as soon as possible, and reckoned with the prohibited ones, that so its Poyson may not spread, and corrupt many People." This Censure was brought into Court by the Dean of the Faculty upon Friday May 13, and the next Day *Peter Segnier*, the King's Advocate, gave his Opinion in Court; and when he had read it, he required, that the Book might be suppressed and prohibited; that *du Moulin* might be obliged to appear; that he might be heard and examined upon the Conclusions of his Book; and required that the Faculty might be obliged to add to their Censure, That it intended not, nor doth intend, to touch in any manner by this Censure upon the Power, Authority, Preeminence and Right of the King. And therefore, at the end of this Censure, and after the Conclusion, it is added in our Registers, *Nec intendit dicta Facultas per suam Censuram quidquam attentare adversus Potestatem & Jurisdictionem Regis*. The Court not being contented with that general Censure, published a Decree, in which they required the Faculty to put into the Hands of two Councillors of the Court a particular Censure of the Propositions taken out of *du Moulin's* Book; and in the mean time prohibited all Booksellers and Printers to expose it to Sale, under Pain of corporal Punish-

(c) *Des Petites Dates*. The proper Meaning of the Words I know not: It relates to Abuses in the Datary, especially about Collation to Benefices by the Pope. All Grants in the Court of *Rome*, relating to Beneficiary Matters, are dispatched by the Datary: and all the Benefices in the Pope's Gift, under such a Value or Dignity, (which are given by the Pope in Consistory, and for that Reason are called *Consistorial*) are given by the Cardinal Datary.

(d) *Expeditions* are properly Dispatches sent by a publick Mi-

nister abroad to his Master: and also Instruments of Grants and Records in a Court of Justice. A Pope's Nuncio is a Magistrate as well as a publick Minister.

(e) The King's Attornies and Solicitors. In some Measure what we call the King's Council.

(f) *Appel comme d'Abus* is an Appeal lodged in the Parliament against a Sentence given by an Ecclesiastical Court, when it is apprehended that they have either exceeded their Power, or given an unjust Sentence.

ment; and commanded the printed Copies to be seized. This was confirmed by another Decree of the 25th of the same Month; and a Serjeant was sent to *Nicolas le Clerc*, Dean of the Faculty, to require him to obey the Decree; and that when the particular Articles of the Censure were produced, *du Moulin* should appear to be heard and examined. The Dean made Answer, "That the Faculty did not use to specify the Passages in Books which they disliked, because Calumniators would frame Answers and wrong Arguments on the other side: However, pursuant to the Order of the Court, and the Desire of Cardinal de Bourbon, then Lieutenant General during the King's Absence out of the Kingdom, they would meet next Friday, and consult about it." But we do not find that this was ever done; for we find no farther Censure, neither in ours nor in the Parliament Registers; and if fourteen Propositions extracted out of *du Moulin's* Book have been handled about, as censured by the Faculty, they are only an Extract which was made by those who were appointed to examine that Book and who made that Report to the Assembly upon which the general Censure was grounded. Most of those Propositions had no Relation to the principal Design of this Work, as it is observed in that Memorial; which made the Doctors believe, that he had a premeditated Design of throwing out, in whatsoever manner he could, the Poison which he had in his Heart. There was at the same time another Process against *du Moulin*, in Execution of a Papal Breve, whereby a Doctor of the Faculty was delegated, as Inquisitor of the Faith, to make a Process against him upon the account of his Book. This Delegate having given in his Informations, and set him a Day to appear personally, *du Moulin* entered his Appeal as from an Abuse. The Cardinal of Bourbon having taken Cognizance of the Matter, referred it to the King's Privy-Council, which was then at *Châlons*, near Queen Catherine de Medici, Regent of France, upon the account of the King's Absence out of the Kingdom. *Du Moulin* was heard before the King's Council, where he pleaded his Cause himself before the Queen. The Cause was then given in Writing to the Council; and Prohibitions were sent out in the mean time to the Delegate Inquisitor of Faith, and to the Officers and other Judges, that they should not proceed or attempt any thing against *du Moulin* and his Family, or against *Anthony Vincent*, Bookseller at *Lyons*, who printed the Book, till it should be otherwise ordered by the King, who was then upon the Return to his Kingdom, when he was fully instructed; and that all the Letters Patents should be dispatched for that purpose. This stopped all judicial Proceedings against him; but it did not shelter him from the Violence of his Enemies, who plundered his House, and forced him to leave the Kingdom to secure his Person. He retired to *William Landgrave of Hesse*, Son of *Philip*, who was turned out of his Cities, Castles, Demesnes and Lordships, by Virtue of two Decrees of the Imperial Chamber made while he was in Prison. *Du Moulin* was consulted about this Matter, and gave four Consultations in Writing in favour of the *Lanaugrave* in 1550. He came now just in the proper time to obtain the *Reintegrandum* which he demanded. When he had finished this Negotiation, he went to *Basle* in July 1552. and returned to *Paris* about the middle of September, to present himself to the King, and to plead his Cause, pursuant to the Arrest made the Year before. He was no sooner arrived, but he was attacked a new, and his House plundered a second time, thro' the Faction of his Enemies. He staid therefore there but three Days, and was forced to return into *Germany*, where he was well received, and taught publicly at *Tübing*, *Strasbourg*, *Dole*, and *Bezançon*. When he was at *Dole*, he was invited by Count of *Montbeliard* to go to wait upon him; whither he was no sooner come, but the Count caused him to be seized, and kept him Prisoner four Months. When he got his Liberty, he read a few Lectures at *Montbeliard*, and soon returned to *Dole*, where he continued to teach. About the end of the Year 1556. he received an Order from the King of Spain to withdraw. He read afterwards a little at *Bezançon*; and hearing of the Death of his first Wife *Louise Beldon*, he returned to *Paris* in 1557. There he found his House a third time plundered, and resumed the ordinary Exercise of his Studies, and his Business in the Court.

The Troubles which came on *Paris* in 1562. obliged *du Moulin* to leave it, July 3. with *Jane du Uvier*, his second Wife, and his Children, after he had seen his City-House and his Country-House again plundered. The City of *Orleans* was the Place of his Retreat. He left it when the Siege was raised after the Duke of *Guise's* Death; and went to *Lyons*, where he printed the *Dialogue according to the Hebrew Text*, with Marginal Notes taken out of the Holy Scripture, with a *Catechism* and an *Apology* against a little Book, intitled, *A Civil and Military Defence of the Innocent, and of the Church of Christ*. He wrote a Book against the *Anabaptists*, which was stolen from him.

(g) In one place it is *Peter*, in another *Anthony*: Which is right, I know not.

(h) Any Demands or Resolutions made by the *Gens du Roi*, in Causes wherein the King or the Publick have any Concern, are called *Conclusions*.

Upon the account of his *Catechism*, and his other Books, the Ministers of *Lyons* caused him to be imprisoned, June 19. 1563. But Monsieur de *Soubize* the Governor, having appointed him Judges, before whom he voluntarily took his Trial, he got his Freedom twenty days after his being imprisoned.

In the beginning of the Year 1564 he returned to *Paris*, in which Year he drew up three famous Consultations. The First was against *Anthony de Crequi*, late Bishop of *Nantes*, newly elected Bishop of *Amiens*, and afterwards Cardinal; *Du Moulin* was consulted by the Vidame of *Amiens*, who was Deputy from the Nobility of the Province of *Picardy*, and gave his Answer, that the Election of *Peter de Crequi* (g) to the Bishoprick of *Amiens* was null and invalid, because it was made without calling in the Nobility and the third Estate, according to the Holy Councils, the Ordinances of our Kings, and even that of the States of *Orleans* made three Years before. The Second was in the Cause of the University of *Paris* against the *Jesuits*, who presented a Petition to the Parliament to be incorporated into the University. These two Consultations are in *Latin*. The Third, which is in *French*, is dated Febr. 28. 1564. it is concerning the Reception of the Council of *Trent* in *France*: He sets forth therein, that some of the King's Council having put nine Sessions of the Council into his Hands, (the Six former of which were printed at *Cologne* in 1551. and afterwards at *Antwerp*, and the three others at *Paris*) after he had view'd and examin'd them, he was of opinion, that the Council, (excepting what related to Faith, Doctrine, the Constitutions of the Church, the Reformation of Manners and of Persons, in which there was nothing to be found fault with) neither could, nor ought to be received in the Kingdom of *France*; as well because of the Nullities in the Form of its Indiction, and its Holding, as because it commands several Things in Matters of Civil Government, contrary to the ancient Councils of *France*, the Rights of the Crown, the Dignity and Majesty of the King, the Authority of his Edicts, Decrees, Ordinances, and Regulations of Parliaments, and other Sovereign Courts; the Acts of the States, the Rights, Liberties, and Immunities of the *Gallican Church*; and gives just and lawful Suspensions, that it is intended to introduce the Inquisition into *France*. Then he reckons up particularly the Nullities and Reasons upon which his Advice is founded. This Consultation was dedicated to *Anthony de Cröy*; and he printed it the same Year at *Lyons*, without any particular Privilege or the King's.

The publishing of this Consultation drew troublesome Consequences upon *Du Moulin*. He was sent for by the Court of Parliament of *Paris*, upon the *Conclusions of the Gens du Roi* (h), and examined in full Court, June 6 and 7 1564. and having owned that he wrote the Book, and sent it to *Lyons* to be printed there, the Court ordered that the King should be written to about that Business; and in the mean time sent *Du Moulin* to their own Prison, caused an Inventory of his Papers to be taken, and forbid all Printers and Booksellers to print or sell his Book. The King and Queen having received the Parliament's Letters, approved of *Du Moulin's* Seizure in their Answer to the Parliament: But soon after, (June 21. 1564.) they set forth Letters Patents, in which the Court was commanded to set *Du Moulin* at Liberty, and to send him back to his own House; forbidding him upon Pain of Death to print any more concerning Affairs of State, Divinity, and the Authority of Councils, and of the Holy See. In pursuance of these Letters, there came out a Decree, July 5. by which *Du Moulin* was enlarged, by Virtue of the Letters Patents, under the aforementioned Prohibitions. He went out at the higher Gate; and his House in *Paris* was given him for a Prison at first, and then his Country House because of his Indisposition; and at last he was left entirely at Liberty.

In 1565 he printed at his own Charge *A Harmony of the Four Gospels*, which he wrote when he was at *Orleans*; He dedicated it to King *Charles IX.* The Ministers crossed him in the printing of that Book, which he wrote on purpose to oppose the Doctrine and Errors of *John Calvin*. Their Fury went so far, that one *Nicholas Laurence of Tournay*, who printed it in one of the Suburbs of *Paris*, passing through *Geneva*, was stopped there, and imprisoned by Order of Consistory, (which, had not a Lord of great Quality interceded, would have put him to Death) and they made him perform the *Amande honorable* (i), Dec. 17. 1565. and burn the Book before the common Hangman, in the great Square, before the Town House.

These Outrages, and several others which *Du Moulin* received from the *Calvinists*, with the Interest of the publick Good made him resolve to present a Complaint to the Court against the *Calvinists*, containing thirty four Heads of Accusation, upon which he got a Commission to inform. The Heads of the Accusation were, "That the Ministers,

(i) *Amande honorable*, is a publick Acknowledgment of a Crime committed, made by the Criminal by Order of the Magistrate who has sentenced him. It carries always with it Marks of Infamy.

who were for the most part Strangers and worthless Persons, Emisaries sent into France by the Consistory of Geneva; to which they take an Oath, do under a Pretence of Religion, gather Conventicles and Assemblies tending to Sedition, draw Numbers of Persons to their own Sect, raise and exact from them great Sums, erect Consistories, and appoint Officers whom they make the People pay: That in these Consistories they take Cognizance of all Business, usurp the Ecclesiastical and Secular Jurisdiction, and break in upon the Authority of the Judges: That they will not suffer the Curates, nor any other Ecclesiastical Persons, to perform their Functions, asserting that they have not a lawful Vocation and Mission: That they give notice to them of Geneva of all that is considerable that is brought before them: That they intend to change the Government of France, and to reduce it to a popular State; to abrogate the Laws and Customs of the Land; to equal the Peasants with the Nobility, and the younger Branches of Families with the eldest: That they make new Laws concerning Marriage, giving leave to marry in Degrees of Consanguinity in which Marriage is forbidden by Ecclesiastical and Civil Laws; and even to marry Sisters consecutively to the same Man; and Children of two Brothers and two Sisters together: That in their Consistories they appoint themselves Judges of Matrimonial Contracts, and Conventions, and Distributions of Estates: That they make Attempts upon Universities, and erect publick and particular Colleges: And that by all these Means they erect a new Kingdom within the Kingdom, which is an Enemy to King, Crown, and Magistrates. As to the Facts relating to himself, he complains, That they out of Hatred to him, for saying publicly in France, Switzerland and Germany, That among the new Sects the Confession of Augsburg was better and more tolerable than that of Geneva, Zurich, or Neuchatel; for writing Books against their Doctrine; for calling their Ministers Fanatics, Madmen, or seditious Persons, without Vocation, Mission, or Institution, or that abuse it grossly if they have it; and lastly, out of Hatred to him, because he would not be of their Sect, when he perceived that their pretended Reformation ended in nothing but Licentiousness, Libertinism and Faction; have openly declared themselves his mortal Enemies; and when they did not dare to write against him, they defamed him, and publicly called him Atheist, Epicurean, Anabaptist, Heretick and Schismatick; and have declared him such in their Assemblies, and dispersed defamatory Libels against him: That they lately excommunicated him in their Assembly at Brie-Compte-Robert: That they imprisoned him by their own Authority, enveiled away (by giving Money) some of his Servants, and intimidated others: That for three or four Years they hindered him from printing his Books, especially his *Decalogue*, *Catechism*, and *Collation*, or *Union of the Four Evangelists*; and after they were printed, censured them in one of their Synods of 300 Ministers, which was held in Autumn in 1565. and burnt them soon after at Geneva. This Complaint was follow'd by an Information made by Virtue of the Commission, by the Serjeant *Bouteroue*, in which four Witnesses were heard, who made Depositions to establish the general and particular Articles of the Complaint. This Proceeding drew after it no Consequences; but *du Moulin* printed at the same time a Book, intitled, *A Defence of Master Charles du Moulin, an ancient Doctor, and of other Men of Learning and Piety, against the Calumnies of the Calvinists, and Ministers of their Sect, their Abuses, Errors, and Usurpations*. By Mr. Simon Chaludres, Professor of sacred Letters. This Name *Simon Chaludres* is an Anagram of *Charles de Moulin*.

This Step of *du Moulin's* entirely weaned him from the Opinions of the Calvinists, to which he had been inclinable in his younger Years. Afterwards, when he went into Germany, he preferred the Confession of Augsburg; and at last, being recovered from his Errors, and entirely converted by a Conference which he had with *Claudius Espenceus* his Kinsman; he had the Happiness to die, Dec. 27. 1566. not only in the Communion of the Catholick Church, but also with Catholick Thoughts, after he had piously received the Sacraments of the Church. He was assisted at his Death by *Claudius Espenceus* le Cort, Curate of St. Andrews; and *René Bonelle*, Principal of *Du Pleffis* College. It is observed in his Character, That he entertained them before his Death, upon the Mystery of Predestination, with so much clearness, that they were astonished to see him express himself so plainly upon so difficult a Subject. His Body was buried in St. Andrew's Church-yard at Eight at Night, without any Funeral Pomp, preceded only with two lighted Torches, just as *Gulielmus Budens*, Chancellor of *l'Hopital*, and before them, *Lewis de Beaumont*, Bishop of Paris, desired to be buried. He left two Sons by his first Wife, one that carried his own Name, whose Son died without Children; and a Daughter, named *Anne Moulin*, who was married to *Simon Bobé*, Advocate in Parliament, *Bailli* of *Colomiers* in *Brie*.

The deplorable Accident which befel this Lady deserves to

be remembered. Upon Saturday Night, Feb. 19. 1572. when *Bobé* was out of the way, some Rogues who were let into his House near the *Augustine's*, by a detestable Footman, knock'd down his Wife who was with Child, his two Children, a Nurse, and a Servant-Maid; and when they went out they were carried out of the Town by a Counsellor's Coachman in his Coach, whom they stabbed that he might not discover them, and carried away the Footman along with them; and neither who the Assassins were, nor whither they retired, could ever be discovered.

Charles du Moulin's Books concerning the Civil Law, and the Customs, not relating to our Design, we shall speak only of those which relate to Religion, or the Discipline of the Church. One indeed of his Discourses upon the Law relates to a considerable Question in Moral Divinity, which is that of Usury. There he treats not only of Usury and Interest according to the Civil-Law, but he examines the Question, Whether Usury be forbidden by the Laws of God or Nature? He asserts, That it is not forbidden by those Laws, any farther than as it is a Breach of Charity; and that since there are some sorts of Usury which are not contrary to it, those sorts are not forbidden. To know what Usury is, against Charity, he divides the People, to whom a Man may lend, into three sorts: First, Those who are reduced to extreme Poverty, and cannot pay any thing again: Secondly, Those who are by Accident in a strait, and who cannot pay immediately, or if they can, yet not conveniently and without great Loss, such as selling their Goods at a low Price; but who in time may be in a Condition to pay: Thirdly, Those who are not in want, nor are forced to borrow for Poverty, or some necessary Business, but only do it to carry on such a Commerce as will enable them to get or enlarge their Estate. To the first of these, says he, we ought to give or lend as the Gospel of St. Luke requires, without hopes of getting it again, i. e. without any Obligation or Stipulation of Restitution, (unless that poor Man should come to have an Estate) and then this Gift or Loan, without Obligation of Restitution, is a real Alms. To the second we ought to lend liberally and gratis; and then this may be looked upon as a friendly and generous Action. With the third we may lawfully agree for a certain, moderate, and reasonable Price, i. e. such a one as does not exceed what reasonably in a like case one would not have done or exceeded towards ones self, or what a Man that understands that Business should award; and this when there is no fixt moderate Law, which if there be, its Taxation ought not to be exceeded. Upon these Principles he blames all Usury which is to the Damage of the Poor, and all in general that is excessive. He shews, That among the ancient Greek and Romans, the highest Interest was but a hundredth Part of the Principal for a Month, that is twelve per Cent a Year: That *Justinian* regulated the Interest to be taken from Persons of Quality, to the third of the Hundredth per Month, i. e. to four per Cent. which equals the Principal in 25 Years: That of Merchants, Men might take eight per Cent. which equals the Principal in 12 Years and a half; that the ordinary Interest should be six per Cent. which comes up to the Principal in 16 Years and 8 Months; and Marine-Interest should be the Hundredth per Month, i. e. twelve per Cent. which equals the Principal in 8 Years and 4 Months. He explains with great Learning the Laws and Customs relating to Usury and Interest, as well that agreed on, as that which becomes due by delay; and he treats largely upon the Use, Value and Change of Money. *Du Moulin* wrote two Discourses upon this Subject, one in French the other in Latin, both upon the same Principles. Though his Notions concerning Usury seem to be somewhat loose, yet he determines several Cases more severely than several Casuists, who, whilst they teach that all Usury is forbidden, find Evasions and Means to palliate the most enormous and the most unjust. Especially he blames the Contract called *Mohatra*, or a Trick which Merchants use to get Money by, when they sell their Goods very dear upon Credit, and buy the same of others at a very cheap Rate; this he calls Land Piracy, and cries out against it in a very vehement manner.

Among his Counsels, there is one which relates rather to a Theological Matter than to a Civil or Political one, and it is his forty third, Concerning some Persons who to discover Hereticks pretend to be of their Opinion, and then inform against them to the Magistrates: Some Counsellors of Parliament consulted *du Moulin*, Whether such Cheats ought to be suffered, and such Evidences received in a Court of Justice? He answers, That such Simulation was impious; and that such Impostors, though they thought they were carried on by a good Zeal for Religion, were Enemies of God and Men, like those false Brethren whom St. Paul complains of, 2 Cor. 12. who deserve to be punished severely. The Reasons which he gives for that Decision are, I. That all Simulation is an Evil, a Sin, and Lie. II. That nothing of Superstition or Knavery ought to be used to advance Religion. III. That he that causes a Man to make a false Oath, is more guilty than a Murderer. IV. That these People are not only Cheats, but Corruptors, who

who confirm others in Evil, while they pretend to approve V. That it is not lawful to lay such Snares in other Mens way. VI. That St. Paul sharply reprov'd the Dissembling of St. Peter. He shews by several Reasons, that that Dissembling was not near so criminal as that of those who approve of a Heresy with their Tongues, which their Hearts are very far from. He rejects the Opinion of those who say, that St. Peter was then guilty of a mortal Sin, and erred in Faith; as also, that of those who would alledge his Example to excuse their Dissembling in Matters of Religion. He shews, that St. Paul's Example, who observ'd the Nazarites Vow in the Temple, can do them no manner of Service, because that Ceremony was not forbidden. He shews, that they are in the wrong, when they urge that Passage in the Gospel, in which it is said, that our Lord pretended as if he would go farther; because the Greek Word does not signify an inward Dissimulation, but only that outwardly he seem'd to be disposed to go farther, as he certainly had done, if he had not been withheld by the Prayers of his Disciples. He adds, that those Priests who maintained that Thesis, ought to have learn'd in their Breviary, what St. Gregory the Great says upon those Words, *That simple Truth had no Duplicity at that Time*. Lastly, he answers other Passages in Scripture, in which Lying and Dissembling seem to be authorized; and he particularly builds upon St. Augustine's Authority. He concludes, that no Credit ought to be given to such Informers; and that they ought not to be received as Evidences, because there is Hypocrisy in their Conduct; because they own themselves to be criminal and punishable, as Accomplices of that Crime; and lastly, because it is a dangerous and a shameful Action, which Judges ought not to suffer.

His Counsel [or Opinion] concerning the Advantages or Disadvantages of the new Society of the Jesuites, may also be considered as a Thing which has some Relation to Religion. The Question was, whether it is convenient to let them into the Kingdom, and into the University of Paris, to set up a College there, to read publick Lectures, and to take in Italian and Spanish Strangers? He answers, that it is not only not a Thing advantageous to the Church, but it is contrary to its Interests, especially to those of the University of Paris, which is the first University in Europe. The Reasons he goes upon are these. First, that it is forbidden by the Canons, to establish new Religious Orders. Secondly, that the Jesuits were refused by a Decree of Parliament. Thirdly, because the nine Persons appointed by Paul III. to give their Opinions concerning the Reformation of the Church, put the great Number of Convents among the Abuses to be reformed; and much more then are too great a Number of Religious Orders so: That Peter de Alliaco was of the same Opinion in his Book of the Reformation of the Church; and so was Armachanus, Gulielmus de Sancto Amore, and John Gerson. Fourthly, because this new Institution is prejudicial to the publick Good of the Kingdom, which is too much overburthen'd already with great Numbers of Convents: That if this new Society be allowed to make one single Settlement, it will soon spread all over France, not only to the Charge of the People, but to the great Damage of the Churches of the Kingdom. Fifthly, because it is to be feared, that the Secrets of the State might thereby be revealed and discovered to Strangers, since the Jesuites admit Italians, Spaniards and other Strangers into their Society. Sixthly, because by the Law, new Colleges are forbidden to be erected; and they ought not to be suffered, if they have not a special and particular Approbation. Seventhly, because they would erect Colleges and Lectures in the midst of the University of Paris, without being subject to it; and so set up new Heads of Colleges and Exercises, which is not only monstrous, but also seditious and contrary to Law. Eighthly, because the University of Paris has Colleges of old Foundations enough, and too many, and so there is no need of founding new ones. Ninthly, because they preach without receiving their Mission from Bishops, and without being approved by Doctors in Divinity; and they give to all the World, even to the Populace and Women, a new Catechism, which contains Innovations; so that it is to be feared they may give Occasion of breaking the Edicts of Peace, which would be very dangerous to the Kingdom. He concludes, that the Procurer-General of the University of Paris has a Right, and is obliged by the Duty of his Place, to oppose this new Institution.

Du Moulin's Treatise of Monarchy is, as one may say, mixt; because it not only treats of Historical Matters and Political Government, but also of Things relating to Policy and Ecclesiastical History, and particularly the Laws of Emperors and Kings concerning the Discipline of the Church, and Edicts which they have published to secure themselves against the Prosecutions of the Court of Rome. This Treatise is full of Erudition, and is printed in French and Latin among his Works.

We may reckon in the same Class, a Discourse which he made in the University of Tubing, concerning the Dignity of Divinity, and the Imperial Laws; their Difference, Vol. III.

their Corruption and Re-establishment; the Power, Duty and Difference between the Civil Magistrates and the Ministers of the Church. He maintains there, that the Civil and Imperial Laws are the Gift of God, proceeding from his Power: That the Primitive Church submitted to them, even as to its Ecclesiastical Persons; and that they were employed for the Good and Protection of the Church, and of the Faith: That St. Gregory owned also the Power of the Emperors; and the Obedience which was due to their Laws: That Charlemagne, and the other French Emperors asserted to themselves a Right to make Laws relating to Ecclesiastical Discipline: That Pope Honorius, who was Bishop of Rome in 1226. thought himself even then obliged to obey the Imperial Laws. That the Decretals of the Popes, and their Attempts upon the Emperors, have both ruined the old Law, and spoiled Divinity entirely: That Divinity ought not to be confounded with humane Laws, nor yet with natural Sciences: That there is one, not only not superior to it, but even no ways equal to it: That it is above all other Sciences, if we respect its Object, its Certainty, and its End. But as there is an inward Justice which is got by Faith, which Divinity teaches, so there is another outward Justice and Discipline which is regulated by Jurisprudence: That both are necessary for Church and State, and both help each other mutually: That a Divine ought to know, not only how to instruct Men in Heavenly Doctrine; but as he is a Minister of the Church, he ought to be versed in Oeconomicks, and in the Skill of practical Matters which Jurisprudence teaches: That it is not adviseable to employ any Man in the Service of the Church, if he does not understand something of the Affairs of Life: That as a Prince ought not to concern himself with what belongs to Bishops or Ministers of the Church, so a Bishop or Minister of the Church ought to make no Attempts upon the Rights or Functions of the Prince and Civil Magistrate. That the Minister of the Church is above the Prince in Matters relating to inward Justice, the Preaching of the Gospel, and the Administration of the Sacraments, Functions which are much more excellent and noble than all manner of Exercises of Magistrates, Kings or Emperors; but that the Prince is above the Ministers of the Church, and Bishops, in Jurisdiction and outward Discipline: That he may also fight against his spiritual Enemies after his own Way, by protecting sound Doctrine with his Authority, by enacting holy Laws, and causing them to be executed, by exciting his Subjects to Goodness by his Example and Advices: That in what belongs to the Faith, he is only the bare Executor of the Orders of God: That the Priest is the Mouth, and the Prince the Hand. He concludes from thence, that the Imperial Laws, those relating to Ecclesiastical Discipline, as well as those which are for the Support of the Faith, are just, and that they are wrongfully accused of Nullity and Impiety. This is the most tolerable Part of du Moulin's Discourse, which contains a Declamation against the Pope, full of insufferably injurious and passionate Expressions, which favour both of the Place where he was, and of the Passion he was animated with.

His Consultation for the Nobility of Picardy, concerning the Bishoprick of Amiens, contains likewise several Particulars in the Canon Law, such as Laymens Right to chuse Bishops, the Incompatibleness of an Abby and a Bishoprick, The Obligation of an Abbot to reside upon his Abby, the Learning and Capacity requisite in a Bishop, &c.

His Council concerning the Reception of the Council of Trent in France, is much more considerable: There are three Copies, two in Latin, one shorter and one longer, and one in French; but we are told in the Preface, that the French is the Original. Du Moulin there maintains, 'That the Council of Trent neither can nor ought to be at all received in France, and that it would be against the Majesty of the King, the Rights of the Crown, the Authority of its Ordinances and Edicts, and sovereign Courts, and against the Decrees of the States of France, the Rights, Liberties and Immunities of the Gallican Church.'

The Reasons he alledges, are comprized in a hundred Articles. He sets forth, that Pope Adrian VI. owned the Necessity of a Council, principally to reform the Church of Rome, and promised to the Diet of Nuremberg in 1523. a free and general Council. That Clement VII. his Successor, promised the same to the Princes and Commonwealths of Germany, of the Confession of Augsburg. That Paul III. summoned this Council by his own Authority to Mantua, a suspected City in Italy; that he afterwards removed it to Vicenza, then suspended it, and afterwards called it to meet at Trent, by his Bulls of November 19. 1544. and sent three Cardinals and two others to preside there as Legates a Latere. From these Facts he concludes, that the Council is null, because it was called by the Pope, who is the principal Person accused, and not the Emperor, to whom this Right does notoriously appertain. That the Pope resolved to preside there; that the Electors, Princes and Republics of Germany, who are Parties concerned, have been neither called nor heard; nay, that they have been excluded: That all that had a deliberative Voice in the Council, were their Enemies: That the Assembly

declared the Pope above a general Council, against the Determinations of the Council of *Constance* and *Basil*: That when the Council had been held two Years or thereabouts at *Trent*, in which Time there were six Sessions, it was removed to *Bononia*, where it was suspended and forsaken; so that there was not one Session held there in *Paul III's* time, nor after his Decease; that it was not only interrupted but finished, since otherwise the Election of the Pope would have belonged to the Cardinals, and not to the Council: That in 1551 Pope *Julius III.* was willing to resume it and continue it at *Trent*: which *du Moulin* urges also as a Nullity, supposing that the first Council was closed, and so a new one ought to have been called: That *Henry II.* King of *France* caused his Ambassadors to protest against the Continuation of that Council: That *Julius III.* the King of *France's* Enemy, resolved to use this Council against the Interests of *France*; and in 1550 caused some Papers containing a great Number of articles of several Matters, wherein he pretended that the King of *France* broke in upon the Jurisdiction of the Pope, to be given to M. *James de Lignoris*, Counsellor of the Parliament of *Paris*, who was at *Trent*: That a Resolution being taken under Pope *Paul III.* to declare the Residence of Bishops and Curates to be of Divine Right, and that it was not in the Pope's Power to dispense with it, Cardinal *Pole* deferred the Decision of that Matter; and the Pope in the mean time got 40 Bishops out of *Sicily* and *Apulia* together, whom he sent to *Trent* to throw out this Decision by a plurality of Voices: That Cardinal *Pole*, President of the Council, wrote a Book, in which he robs the Councils of all their Authority to give it entirely to the Pope alone: That the Continuation of the Council under *Pius IV.* which was made without a new Convocation, was null and abusive. When he enters into the Detail of these pretended Nullities, he accuses the Council of several Errors in his Opinion; of equalling the Authority of Traditions to that of the Holy Scriptures; of determining that no Man can be certain, with a certainty of Faith, that he has received Grace; of declaring, that the Sacraments produce Grace, *ex Opere operato*, and that the Character which some Sacraments impress cannot be ever taken away or effaced; of condemning the Opinion of those that maintain, that in case of Adultery there is room for an entire Dissolution of Marriage.

The Points which he finds fault with in their Decisions concerning Discipline, are, their declaring, *Seff. 7. cap. 4.* That for the Institution of Bishops, Priests, and other Ministers, there is no need of calling in of King, Magistrates or People; and that there is no need of having their Consent; which he thinks to be contrary to the ancient Usage of the Church, the Ecclesiastical and Civil Laws, and the Ordinance of *Orleans*: Their allowing in the same Session Priests to be Ordained at 25 Years of Age, though by the Ordinance of the States of *Orleans* 30 Years was required: Their permitting Bishops in the same Session to seize on part of the Revenues of Fabricks and Hospitals; which he looks upon as an Attempt upon the Jurisdiction of the King, and the Royal Judges, to whom the Cognizance of the like Things belongs: Their approving the Marriages of Sons and Daughters of Families made clandestinely, without the Authority of their Parents, and establishing the Presence of a Priest to be necessary to make a Marriage valid; which nulls the Marriages of the Protestants which were allowed by the Edicts of Pacification: Their remitting the Provinces of Bishops to the Pope and his Consistory: Their giving Bishops leave to visit by their great Vicars, against the Regulation of the States of *Orleans*; and their not giving Bishops Power to visit and punish exempt Regulars; which Right is allowed them in the Ordinance of *Orleans*: Their remitting to the Pope the Judgment of Criminal Causes of Bishops in the first Instance, against the ancient Law, the Change whereof is not authorized by the Pragmatick, which remits to the Pope only the Causes of exempt Churches, which are immediately subject to the Holy See, and in Matters relating only to their Privileges; in which they must have a Delegation of Judges upon the place, and not Persons got together at *Rome*; which (says he) was lately observed in the case of the late *Poncher* Bishop of *Paris*, the Bishop of *Pamiers*, and *Hangesst* Bishop of *Noyon*: And when they went to carry them to *Rome*, they were appealed against as Abuses, and the Appeals were received. That this Regulation takes away not only the Authority of the Church and Provincial Councils, but also the Jurisdiction of the King over the Persons of Bishops in cases of Treason, and in privileged cases, the Cognizance of which is taken away by the Council: That the Rights of Regales and infeodate Tithes would be overturned, if these Regulations of the Council took place: That the Council gives the Pope, in the 13th. Chapter of the 18th Session, a Power of uniting simple Benefices to Bishopricks, which is contrary to the Council of *Basil*, to the Pragmatick Sanction, the Concordates and Decrees by which these Unions are given to the Ordinary: That *Chap. 19.* it takes away the Indults and Mandates approved by the Pragmatick Sanction, and the Concordates: That, *Chap. 20.* it takes away the Ecclesiastical Conservators of the Universities, and Privileges of the Realm: That, *Seff. 9.* by the

second Canon of the Reformation of Regulars, it is decreed, that the Estates which they shall acquire shall be given to Monastries: That, *Chap. 3.* Friars-Mendicants are allowed to possess Revenues and real Estates, which is forbidden by several Decrees or Parliament: That, by the 6th Canon, the Rights of Nomination belonging to the King are taken away: That the 15th allows People to profess at sixteen Years, which the Ordinance of the States had regulated to twenty five Years: That, *Can. 22.* the Council commands all Kings, Princes, Republicks and Magistrates, to obey the Decrees of the Council, and to cause them to be executed. That, *Can. 4. Cap. Of General Reformation*, Ecclesiastical Judges are permitted to compel Laymen by pecuniary Mulcts, and Seizure and Execution of their Goods, which is abusive: That, *Can. 9.* it deprives Lay-Patrons of their Rights, and gives to Ecclesiastical Judges the Cognizance of their Patronages: That, *Can. 10.* it erects a new sort of Judges Delegates, whom it calls Apostolical, in every Diocese; and gives the Ecclesiastical Ordinaries a Power of chusing them without the King's Consent, and of sending their Names and Qualities to the Pope: That, *Can. 12.* it declares Tithes to be due to Ecclesiasticks, and to the King, by Divine Right: That, *Can. 19.* it usurps upon Kings, when it threatens them with the Loss of their Kingdoms if they permit Duels: That, *Can. 20.* it confirms the Decretals and Constitutions of Popes, some of which are null, others abrogated, and others prejudicial to the Authority of Kings. Lastly, that, *Can. 21.* the Council submits all its Actions and Decrees to the Judgment of the Pope; and that the Drift of the Council is to encrease the Pope's Power and Sovereignty, and to exalt him above Councils, Emperors and Kings. To these Reasons *du Moulin* adds Political Considerations; as, that the King cannot receive the Council of *Trent* without breaking with the Protestant Princes, who are ancient Confederates of *France*: That those who press the Reception of the Council so earnestly with the King, are creatures of the Pope; and that, even according to their own Principles, it cannot be received yet, because they produce no Confirmation from the Pope, to whose Judgment the Council has submitted its Decisions, and who may disapprove of them, or alter them.

This Discourse of *du Moulin*, which made so much Noise in the World, was not unanswered. A Professor at *Pont a Mousson*, one *Peter Gregory* of *Thoulouse*, made a very large one, which is prefixed to the last Edition of *du Moulin's* Works. This Author begins with correcting the Circumstances of the Facts which *du Moulin* relates. He shews, that it was never promised to the Protestants, that the Pope should not call the Council, and should not preside in it; on the contrary, that the Protestant Princes themselves demanded that the Pope would call one: That it is not true that the German Princes appealed from Pope *Clement VII.* to a general Council, and that the Pope would have suffered them to follow the Confession of *Augsburg*, provided a Council had not been called: That the Council was summoned to *Trent* by the Pope, in concert with the Emperor and the Princes of *Germany*: That the Protestants were invited to it, and Safe-Conduits were given them to go thither: That the Presidency of the Council did not belong to the Emperors, but to the Pope: That Laymen have no Right of voting in Councils, but only Bishops: That the Council of *Trent* never determined that the Pope was above the Council or sole Sovereign: That the Approbation and Confirmation of the Decrees of a general Council do indeed of Right belong to the Pope, and upon that account he is owned to be Superior to the Council; and the Councils of *Constance* and *Basil* never denied that Superiority. Besides, that the Decrees of these Councils upon this matter are not received; and it is the King's own Interest that the Council should not in every thing be above the Pope, since Pope *Leo X.* granted him by the Concordate the Nominations to Bishopricks, which these Councils condemned: That the Suspension and Prorogation of the Council are not lawful Reasons to reject it: That there was no Session held under *Julius III.* the King of *France's* Enemy: That the Council decreed the Residence of Bishops, but did not think it self obliged to enter into the Question, whether it was of Divine Right or no? That if the Council should have reserved a Liberty to the Pope to dispense with it for certain and reasonable Causes, he would have done nothing against Order: That no Divine ever asserted continual and perpetual Residence to be of Divine Right but *Cajetan*; and yet when he was made Cardinal, he would not lay down a Bishoprick which he had before: That the Author of the Church, and of Traditions, cannot be denied without overturning Religion: That what the Council has decreed concerning Justification and the Efficacy and Character of the Sacraments, is very Catholick; and what *du Moulin* opposes to those Articles is frivolous: That the Ordination of Priests and Bishops has in all times belonged to Bishops, and the Election to the Clergy: That the People assisted there only as Witnesses: That tho' in some Places the Laity might have a Right of Election, and Kings that of Investiture, yet this was by Privilege, and not of common Right; and so not against the